

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No. 75-14263

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT
O. Jerry Harris

CLAIMANT
Myrna Harris

O. Jerry Harris 8/21/2008
O. Jerry Harris Date
Pro Se

Myrna Harris 8/21/2008
Myrna Harris Date
Pro Se

OBJECTOR
David Yanoff

OBJECTOR
Edward Tolman

David Yanoff 9/9/08
David Yanoff Date
Pro Se

Edward Tolman 8/21/08
Edward Tolman Date
Pro Se

IDWR Concurrence:

Nathaniel Arave
Nathaniel Arave
Senior Water Resource Agent

8-20-08
Date

Garrick L. Baxter
Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

9/9/08
Date

8/2/08 MHC
at
8/26/08
NHA

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14263
NAME AND ADDRESS: O JERRY HARRIS
4649 NOUNAN RD
MONTPELIER ID 83254
MYRNA R HARRIS
4649 NOUNAN RD
MONTPELIER ID 83254

SOURCE: PERREAU CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 04/01/1951 05/20/1898

POINT OF
DIVERSION:

T20N R21E S2 NWNE Lot 2 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.100 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T20N R22E S06 NWNW 5.00

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14263
NAME AND ADDRESS: O JERRY HARRIS
4649 MOUMAN RD
MONTPELIER ID 83254
MYRONA E HARRIS
4649 MOUMAN RD
MONTPELIER ID 83254

SOURCE: PERREAU CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.100 CFS
PRIORITY DATE: 04/02/1952 08/30/1996

POINT OF DIVERSION:
T20N R21E S2 MOON Lot 2 within LEHMY County

PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.100 CFS
PLACE OF USE:	<u>IRRIGATION in LEHMY County</u>		
	T20N R22E S06 NW1/4 5.00		
	5 ACRES TOTAL		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on September 10, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

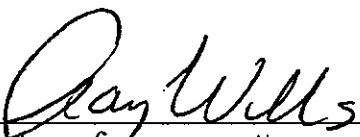
Via hand delivery

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

DAVID YANOFF
343 DIAMOND CREEK RD
SALMON, ID 83467

EDWARD R TOLMAN
41 CORBETT LN
SALMON, ID 83467

MYRNA R HARRIS
O JERRY HARRIS
4649 NOUNAN RD
MONTPELIER, ID 83254



Signature of person or attorney mailing form