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DEPARTMENT OF
WATER RESOURCES

**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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 31 2008

By _____ Clerk
Deputy Clerk

Subcase No. 22-193A

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.

CLAIMANTS/OBJECTOR

Garry W. Jardine 10-26-08
Garry W. Jardine Date

Meredene Jardine 10-26-08
Meredene Jardine Date

STANDARD FORM 5 - 22-193A

IDWR Concurrence:

Denise L. Korman 10-20-08
IDWR Agent Date

Andrea Courtney 10/29/08
Andrea Courtney Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on Oct. 30, 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

2. Copies to:

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

GARRY & MAEDENE JARDINE
GARRY W JARDINE
MAEDENE JARDINE
358 N 800 W
TETONIA, ID 83452

Deseree Kramer
Signature of person or attorney mailing the form

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

RIGHT NUMBER: 22-193A
NAME AND ADDRESS: GARRY W JARDINE
358 N 800 W
TETONIA ID 83452
MAEDENE JARDINE
358 N 800 W
TETONIA ID 83452

SOURCE: Source:
PACKSADDLE CREEK

Tributary:
TETON RIVER

QUANTITY: 2.200 CFS 0.000 AFY

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION: T05N R44E S6 SWSWNE
Within TETON County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/15 10/31	2.200 CFS

PLACE OF USE: IRRIGATION within TETON County

T05N R44E S04 NESE 20.0	T05N R44E S04 NESE 19.0
T05N R44E S04 NWSE 24.0	
T05N R44E S04 SWSE 22.0	
T05N R44E S09 NENE 40.0	
T05N R44E S09 NWNE 40.0	
T05N R44E S09 SWNE 40.0	
T05N R44E S09 SENE 37.0	
T05N R44E S09 NENW 37.0	T05N R44E S09 NENW 30.0
T05N R44E S09 NWNW 10.0	
T05N R44E S09 SWNW 14.0	
T05N R44E S09 SENW 40.0	T05N R44E S09 SENW 30.0

324 ACRES TOTAL

282 ACRES TOTAL

This right is limited to the irrigation of 110 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 295 acres in a single irrigation season. Combined Right Nos.: 22-193A 22-325A, and 22-326G.

~~The rights listed below are limited to the irrigation of a combined total of 260 acres in a single irrigation season. Combined Right Nos.: 22-193A, 22-325A, and 22-326G.~~

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 - Decreed

Water is delivered through Packsaddle Pipeline.