

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

FEB 25 2009

By _____ Clerk

RECEIVED

FEB 26 2009

DEPARTMENT OF
WATER RESOURCES

COPY

**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

) Subcase Nos. 02-10418
) (Split from 02-10339)
)

Case No. 39576

)
) 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.

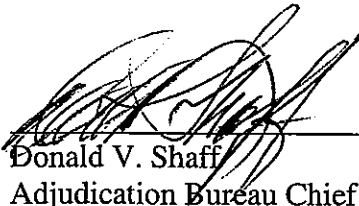
CLAIMANT:

OBJECTOR

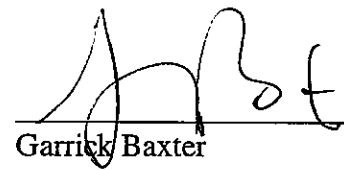
Jerry Young 2/11/09
Date

Carol A. Mooney 2-19-09
Date

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief

2-12-09
Date


Garrick Baxter
Deputy Attorney General

2/4/09
Date

CERTIFICATE OF MAILING

I certify that on Feb. 24, 2009, 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:

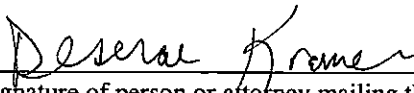
1. Original to:

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:

JERRY L YOUNG
PO BOX 223
FAIRFIELD, ID 83327

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



Signature of person or attorney mailing the form

02/04/2009

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

RIGHT NUMBER: 2-10418

NAME AND ADDRESS: JERRY L YOUNG
PO BOX 223
FAIRFIELD ID 83327

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.164 CFS

Exact quantity is 0.16463 cfs.

PRIORITY DATE: 07/25/1961

POINT OF
DIVERSION:

T06S R08E S3 SWNW Lot 4 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.164 CFS

PLACE OF USE:

IRRIGATION in ELMORE County

T06S R08E S03 Lot 4 NWNW 9.51

9.51 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

This right is a split of former right 2-10339 that was a split of former right 2-10306 that was a split of former right 2-101.

Place of use also known as the middle 1/3 of the north part of Block 25 of the vacated Fruitland Subdivision.

Use of this right is combined with water from King Hill Irrigation District.