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APR 27 2009

DEPARTMENT OF
WATER RESOURCES

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

APR 23 2009

By _____

Clerk

Deputy Clerk

**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 No.: 74-2169

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:

242 Remuda Ranch LLC

Michelle Garrihy Drake

Michelle Garrihy Drake

242 Remuda Ranch LLC

4-15-2009

Date

IDWR CONCURRENCE:

Nathaniel Arave

Sr. Water Resource Agent

1/5/09

Date

IDWR CONCURRENCE:

Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

1/6/09

Date

01/05/2009

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

RIGHT NUMBER: 74-2169

NAME AND ADDRESS: 242 REMUDA RANCH LLC
MICHELLE GARRIHY DRAKE
413 EIGHTEEN MILE RD
LEADORE ID 83464

SOURCE: EIGHTEENMILE CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 1.800 CFS

Right Nos. 74-2169 and 74-15668 are limited to a total combined diversion rate of 1.8 cfs.

PRIORITY DATE: 04/30/1914

POINT OF
DIVERSION:

T15N R27E S7 SWSW Lot 4 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R27E S07 NESW 37.00 40-00 T15N R27E S07 Lot 3 NWSW 31.00 36-00

T15N R27E S07 Lot 4 SWSW 31.00 37-00 T15N R27E S07 SESW 36.00 40-00

135 ±5± ACRES TOTAL

Right Nos. 74-2169 and 74-15668 are limited to the irrigation of a combined total of 135 acres in a single irrigation season.

This right is limited to the irrigation of 74.6 acres within the place of use described above in a single irrigation season.

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right No. 74-15668 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on April 22nd, 2009, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

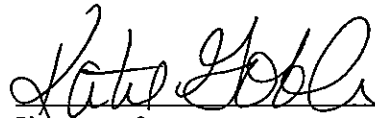
2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

242 Remuda Ranch LLC
Michelle Garrihy Drake
413 Eighteen Mile Rd.
Leadore, ID 83464

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form