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JUN 15 2009

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

Subcase No. 63-03088

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

John & Irene Redmon

John Redmon 5-1-09
Date

Irene Redmon 5-1-09
Date

OBJECTOR

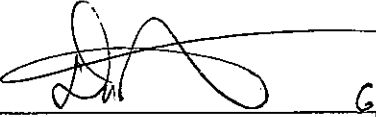
Wilder Irrigation District

Albert P. Barker, Attorney 4/9/09
Date

RESPONDENT

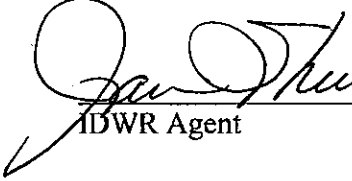
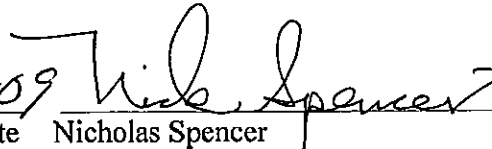
United States on behalf of
STANDARD FORM 5 - 63-03088

Bureau of Reclamation



David Gehlert Date 6/10/09
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

IDWR Concurrence:

 4-14-09  6-4-09

IDWR Agent Date Nicholas Spencer Date
Deputy Attorney General

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

RIGHT NUMBER: 63-3088

NAME AND ADDRESS: JOHN REDMON
21988 TUCKER RD
GREENLEAF ID 83626IRENE REDMON
21988 TUCKER RD
GREENLEAF ID 83626

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 2.020 CFS

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

PRIORITY DATE: 07/09/1956

POINT OF DIVERSION:

T04N R04W S16 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.020 CFS

PLACE OF USE:

IRRIGATION in CANYON County

T04N R04W S16	SWNE	39.00	T04N R04W S16	SENE	39.00
T04N R04W S16	SENE	32.00			

110 ACRES TOTAL

Right Nos. 63-3088 and 63-21521 are limited to the irrigation of a combined total of 110 acres 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.

~~This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.~~

The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

SF5 Right No. 63-3088

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-3080 is also diverted through point of diversion described above.

Mr
J
NBS

SF5 Right No. 63-3088

CERTIFICATE OF MAILING

I certify that on June 10, 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:

WILDER IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

IRENE REDMON
JOHN REDMON
21988 TUCKER RD
GREENLEAF, ID 883626



Signature of person or attorney mailing the form



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DEPARTMENT OF
WATER RESOURCES

U.S. Department of Justice

Environment and Natural Resources Division

DWG:DAJ

90-6-2-63c

David A. Jarvis
Labat-Anderson, Inc.
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Denver, Colorado 80294

Telephone (303) 844-1485
Facsimile (303) 844-1350
E-mail: David.Jarvis2@usdoj.gov

June 10, 2008

via FedEx Mail

Diana R. Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
DISTRICT COURT
253 Third Ave., North
Twin Falls, Idaho 83303-2707

Re: SRBA Case No. 39576
Subcase Nos. 63-02249A, 63-02249B, 63-02249C, 63-03080, 63-03088, 63-
21520, & 63-21521

Dear Ms. Delaney:

Enclosed for filing are Standard Forms 5 for the above listed subcases.

Sincerely,

David A. Jarvis
Paralegal

Enclosures