

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED _____

2009 SEP 2 PM 10 52

**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. 47-2370
)

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.

CLAIMANTS:

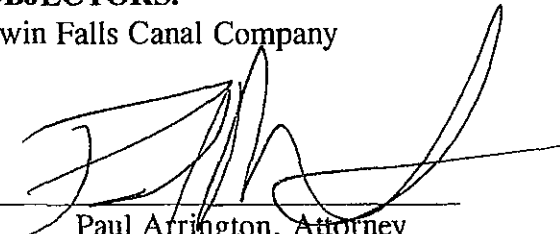
OBJECTORS:

Twin Falls Canal Company


Robert E. Williams.

Date

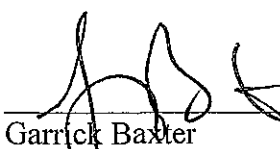
Date 8/4/09


Paul Arrington, Attorney

8/25/09

IDWR Concurrence:

 8/31/09
Donald V. Shaff Date
Adjudication Bureau Chief

 8/31/09
Garrick Baxter Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on 9/1, 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:

LORI YOUNG
MICKEY YOUNG
Represented by:
ROBERT E WILLIAMS
FREDERICKSEN WILLIAMS ET AL
PO BOX 168
JEROME, ID 83338

TWIN FALLS CANAL COMPANY
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

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



Signature of person or attorney mailing the form

08/04/2009

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

RIGHT NUMBER: 47-2370

NAME AND ADDRESS: LORI YOUNG
1750 E 4550 N
BUHL ID 83316

MICKEY YOUNG
1750 E 4550 N
BUHL ID 83316

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 0.400 CFS
60.73 APY

PRIORITY DATE: 02/15/1963

POINT OF
DIVERSION:

T09S R14E S26 NWSW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS 0.73 APY
IRRIGATION	04/01 10/31	0.400 CFS 60.00 APY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R14E S26 NWSW 15.00

STOCKWATER in TWIN FALLS County

T09S R14E S26 NWSW

15 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.

The source of this water right includes waste water. The wasting of water may be discontinued at any time.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use is for 30 range cattle.

SCL

JB

RES

PLA