

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2009 OCT 7 AM 10 09

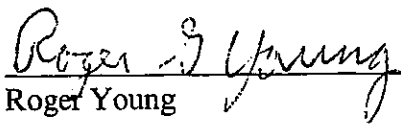
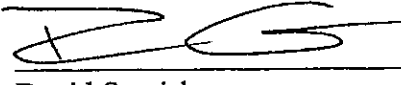
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase Nos. 02-10427
	)	(Split from 02-7182 now disallowed)
	)	
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:
	State of Idaho
	Idaho Department of Lands
	
Roger Young	David Stanish
10/01/2009	9/17/09
Date	Date
	Deputy Attorney General

IDWR Concurrence:

Monica P Van Bussum 10/2/2009

Monica Van Bussum
Senior Water Agent

Date

Garrick Baxter

Garrick Baxter
Deputy Attorney General

10/2/09

Date

CERTIFICATE OF MAILING

I certify that on 10/6, 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:

STATE OF IDAHO DEPT OF LANDS
Represented by:
STATE OF IDAHO
JRW BUILDING, SECOND FLOOR
700 W STATE ST, PO BOX 44449
BOISE, ID 83711-4449

ROGER G YOUNG
PO BOX 430
MOUNTAIN HOME, ID 83647
Phone: 208-845-2108

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



Signature of person or attorney mailing the form

09/10/2009

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

RIGHT NUMBER: 2-10427
NAME AND ADDRESS: ROGER G YOUNG
PO BOX 430
MOUNTAIN HOME ID 83647
SOURCE: SNAKE RIVER
QUANTITY: 2.100 CFS
525.000 AFY

TRIBUTARY: COLUMBIA RIVER

Right Nos. 2-10427 and 2-10432 are limited to a total combined diversion rate of 2.1 cfs.

Use of this right with the rights listed below is limited to a total combined diversion rate of 43.5 cfs. Combined Right Nos.: 2-2156, 2-2245A, 2-2245B, 2-2298, 2-2355, 2-2356, 2-2376, 2-7055, 2-7071, 2-7112A, 2-7112B, 2-10426 and 2-10432.

PRIORITY DATE: 12/06/1974

POINT OF DIVERSION:

T05S R06E S31 NWNWSW Lot 6 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.100 CFS 525.00 AFY

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S36	NWNE	16.00	T05S R05E S36	SWNE	18.00
T05S R05E S36	NESE	24.00	T05S R05E S36	NWSE	25.00
T05S R05E S36	SWSE	20.00	T05S R05E S36	SESE	35.00

138 ACRES TOTAL

This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.

Right Nos. 2-10427 and 2-10432 are limited to the irrigation of a combined total of 138 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Rights 2-2156, 2-2245A, 2-2245B, 2-2298, 2-2355, 2-2356, 2-2376, 2-7055, 2-7071, 2-7112A, 2-7112B, 2-7222, 2-10426 and 2-10432 are also diverted through point of diversion described above.

Right No. 2-10432 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

This right is a split from former right 2-7182.

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