

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

2009 OCT 13 PM 10 38

**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. 47-17268

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

Connie Storrer

Date

Gary Storrer

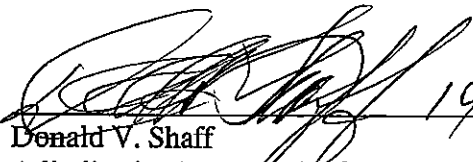
Date

Paul Arrington, Attorney

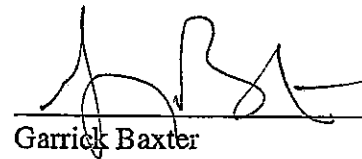
Date

STANDARD FORM 5 - 47-17268

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief

10/8/09
Date


Garrick Baxter
Deputy Attorney General

10/8/09
Date

CERTIFICATE OF MAILING

I certify that on 10/9, 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:

TWIN FALLS CANAL COMPANY
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

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

GARY STORRER
CONNIE STORRER
1042 WILDWOOD WAY
TWIN FALLS, ID 83301



Signature of person or attorney mailing the form

05/04/2009

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

RIGHT NUMBER: 47-17268

NAME AND ADDRESS: GARY STORRER
1042 WILDWOOD WAY
TWIN FALLS ID 83301

CONNIE STORRER
1042 WILDWOOD WAY
TWIN FALLS ID 83301

SOURCE: UNNAMED STREAM

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.570 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands above.

PRIORITY DATE: 06/03/1959

POINT OF
DIVERSION:

T10S R17E S1 SWSWN Within TWIN FALLS County

T10S R17E S1 NWNESE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	1.570 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R17E S35 Lot 8 NESE	3.20	T09S R17E S35 Lot 14 NESE	3.40
T09S R17E S35 Lot 7 SWSE	16.00	T09S R17E S35 Lot 14 SWSE	0.60
T09S R17E S35 Lot 9 SESE	27.00	T10S R17E S02 Lot 1 NENE	21.00
T10S R17E S02 Lot 2 NWNE	17.00	T10S R17E S02 SENE	3.70

91.9 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 91.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 47-17266, 47-17268 and 47-4453.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The source of this water right includes waste water. This right remains subject to the right of the original appropriator in good faith and in compliance with the 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.

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

Use of this right is combined with water from Twin Falls Canal Co.

This right is a split from former right 47-2326.