

724
DISTRICT COURT - SRBA
TWIN FALLS CO IDAHO
FILED _____

2009 DEC 15 AM 10 21

**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 Nos. 47-17265

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.

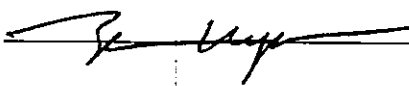
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

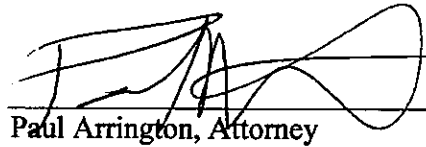
CLAIMANT:

Renaissance Project Development LLC

OBJECTORS:

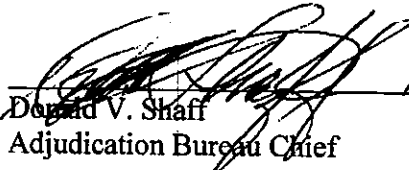
Twin Falls Canal Company

 12/1/09
Date

 12/7/09
Paul Arrington, Attorney Date

STANDARD FORM 5 - 47-17265

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief
12-08-09
Date


Garrick Baxter
Deputy Attorney General
12/9/09
Date

CERTIFICATE OF MAILING

I certify that on December 14, 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:

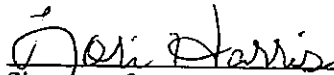
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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

RENAISSANCE PROJECT DEVELOPMENT LLC
1188 W SPORTSPLEX DR #203
KAYSVILLE, UT 84037



Signature of person or attorney mailing the form

09/01/2009

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

RIGHT NUMBER: 47-17265

NAME AND ADDRESS: RENAISSANCE PROJECT DEVELOPMENT LLC
1188 W SPORTSPLEX DR #203
KAYSVILLE UT 84037

SOURCE: UNNAMED STREAM

TRIBUTARY: SNAKE RIVER

The source of this water right is waste water originally diverted by Twin Falls Canal Company. The wasting of water may be discontinued at any time.

QUANTITY: 1.500 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: 01/17/1945

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

1.500 CFS

PLACE OF USE:

IRRIGATION in TWIN FALLS County

T09S R17E S35 Lot 8 NESE	2.10	T09S R17E S35 Lot 9 SESE	12.00
T09S R17E S36 Lot 9 NWSW	0.20	T09S R17E S36 SWSW	21.00
T10S R17E S01 Lot 4 NWNW	33.00	T10S R17E S02 Lot 1 NENE	5.50

73.8 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 73.8 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 47-17265 and 47-17267.

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

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

This right is a split from former right 47-2206 .

The portion of this right used for conveyance losses is 0.02 cfs.