

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 No. 47-02025

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. 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 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:

Y-3 II

Linda L. Yanke 4/1/10
Linda L. Yanke, Partner Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 3/23/10
David L. Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Steve Clelland 4/12/10
Steve Clelland Date
Senior Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer 4-12-10
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 47-2025

NAME AND ADDRESS: Y 3 II
PO BOX 5405
BOISE ID 83705-5405

SOURCE: CHINA CREEK TRIBUTARY: SALMON FALLS CREEK
~~PLAYER CREEK~~ ~~TRIBUTARY: CHINA CREEK~~
UNNAMED STREAM TRIBUTARY: PLAYER CREEK

QUANTITY: 7.000 CFS

PRIORITY DATE: 07/06/1907

POINT OF
DIVERSION:

T16S	R14E	S16	SWNE	Rediversion	Within TWIN FALLS County
T16S	R14E	S16	SWNE	<u>Injection</u>	Within TWIN FALLS County
T16S	R14E	S16	SWNE	~~Rediversion~~	Within TWIN FALLS County
T16S	R14E	S16	NWSE		Within TWIN FALLS County
~~T16S~~	~~R14E~~	~~S16~~	~~NWSE~~	~~Rediversion~~	~~Within TWIN FALLS County~~
~~T16S~~	~~R14E~~	~~S20~~	~~NESE~~		~~Within TWIN FALLS County~~
~~T16S~~	~~R14E~~	~~S21~~	~~NWNW~~	~~Injection~~	~~Within TWIN FALLS County~~

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04/01 10/31	7.000 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T16S	R14E	S03	NESW	40.00	T16S	R14E	S03	SESW	40.00
T16S	R14E	S03	NWSE	40.00	T16S	R14E	S03	SWSE	40.00
T16S	R14E	S10	NENW	40.00	T16S	R14E	S10	NWNW	38.00
T16S	R14E	S10	SWNW	40.00	T16S	R14E	S10	SENW	40.00
T16S	R14E	S10	NESW	40.00	T16S	R14E	S10	NWSW	40.00
T16S	R14E	S10	SWSW	40.00	T16S	R14E	S10	SESW	40.00
T16S	R14E	S15	NWNW	38.00	T16S	R14E	S15	SWNW	2.00

518 ACRES TOTAL

This right is limited to the irrigation of 360 acres
within the place of use described above 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

CERTIFICATE OF MAILING

I certify that on April 13, ~~2009~~²⁰¹⁰ mailed the original and copies of this form, including all attachments, 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. Copy to:

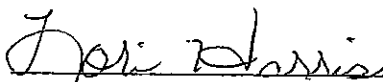
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Michael P. Lawrence
Givens Pursley LLP
Attorney for Y-3 II
P.O. Box 2720
Boise, ID 83701



Signature of person or attorney mailing the form