DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUL 28 2010
By _____ Clerk
Deputy Clerk

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. 22-13245**
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:
Idaho Holdings, LLC

Robert L. Harris 7/13/2010
Robert L. Harris Date
Attorney for Claimant

OBJECTOR:
Horace A. Gray III

Robert L. Harris 7/13/2010
Robert L. Harris Date
Attorney for Objector

DWR Concurrence:

7/13/2010

Michael Holliday Date
Senior Water Resource Agent

4/5/10

Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-13245

NAME AND ADDRESS:

IDAHO HOLDINGS LLC
5004 MONUMENT AVE STE 200
RICHMOND VA 23230

SOURCE:

Source:	Tributary:
TETON CREEK	TETON RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 04/15/1938
~~10/31/1948~~

POINT OF DIVERSION:

T05N R45E S36 NWNWNE
Within TETON County

PURPOSE AND PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE: IRRIGATION within TETON County

T05N R45E S33 NESE 20.0

T05N R45E S33 NWSE 28.0

T05N R45E S33 SESE 1.8

49.8 ACRES TOTAL

Right Nos. 22-13245 and 22-13247 are limited to the irrigation of a combined total of 49.8 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 - Beneficial Use

Water is conveyed through a side channel of Teton Creek, with the beginning of the side channel located at T5N R45E S25 SWSE.

~~THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-11942~~

CERTIFICATE OF MAILING

I certify that on July 27, 2010, 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:

IDAHO HOLDINGS, LLC
HORACE A. GRAY III
Represented by:
ROBERT L. HARRIS
1000 RIVERWALK DR., STE. 200
P.O. BOX 50130
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Jodi Harris
Signature of person or attorney