

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

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 10 2011

In Re SRBA

Case No. 39576

Subcase No. 75-14459

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

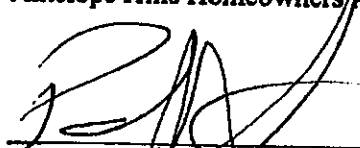
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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

Antelope Hills Homeowners Association


Paul L. Arrington, Attorney
2-9-11
Date

IDWR Concurrence:


Monica Van Bussum
Senior Water Resource Agent
2/9/2011
Date


Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR
2/9/2011
Date

06/14/2010

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

RIGHT NUMBER: 75-14459

NAME AND ADDRESS: ANTELOPE HILLS HOMEOWNERS ASSN
PO BOX 232
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.239 0.236 CFS

This right when combined with all other rights shall provide no more than 0.04 cfs per acre for irrigation of the lands above.

PRIORITY DATE: 05/01/1884

POINT OF
DIVERSION:

T22N R22E S9 SWNWSW NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.236 0.239 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S08 NESW 33.70 25.00	T22N R22E S08 NWSW	36.60
	T22N R22E S08 SESW 11.00 13.00		
	71.3 74.6 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 74.6 acres in a single irrigation season. Combined Right Nos.: 75-2118, 75-13996, 75-13997, 75-14077, 75-14078, 75-14079, 75-14080, 75-14081, 75-14083, 75-14084, 75-14085, 75-14086, 75-14087, 75-14340, 75-14341, 75-14451, 75-14452, 75-14453, 75-14454, 75-14459 and 75-14460.

This right is limited to the irrigation of 42.5 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 - Decreed

This right is a split from former right 75-63.

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

MVB
PLH
AB

CERTIFICATE OF MAILING

I certify that on February 9, 2011, 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:

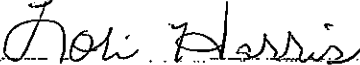
1. Original to:

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:

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

ANTELOPE HILLS HOMEOWNERS ASSN
Represented by:
PAUL L ARRINGTON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485


Signature of person or attorney mailing form