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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 11 2011	
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. 47-4172
	)	
Case No. 39576	)	
	)	
	)	STANDARD FORM 5
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

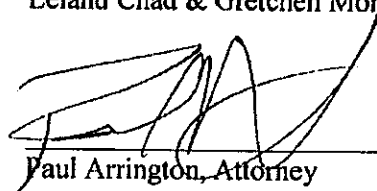
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

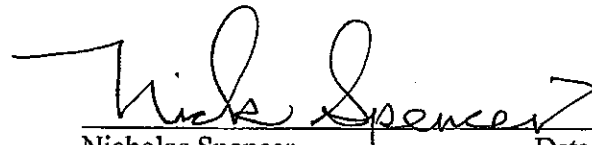
CLAIMANT/OBJECTOR:

Leland Chad & Gretchen Montgomery

 _____ Paul Arrington, Attorney	3/8/11 _____ Date
--	-------------------------

IDWR Concurrence:


IDWR Agent
3/9/11
Date


Nicholas Spencer
Deputy Attorney General
3-9-11
Date

CERTIFICATE OF MAILING

I certify that on March 10, 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:

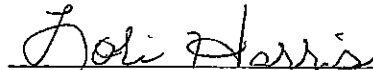
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

GRETCHEN A MONTGOMERY
LELAND CHAD MONTGOMERY

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

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



Signature of person or attorney mailing the form

09/02/2010

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

RIGHT NUMBER: 47-4172

NAME AND ADDRESS: LELAND CHAD MONTGOMERY
1850 E 4500 N
BUHL ID 83316

GRETCHEN A MONTGOMERY
1850 E 4500 N
BUHL ID 83316

PLA NBS

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
10.80 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

POINT OF
DIVERSION:

T09S R15E S10 SWSE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.080 CFS 10.80 AFY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R15E S10 Lot 7 NWSE 1.20 T09S R15E S10 SWSE 1.50

STOCKWATER in TWIN FALLS County

T09S R15E S10 Lot 7 NWSE T09S R15E S10 SWSE

2.7 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

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

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

NBS

JCC