

1730

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

APR 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.: 37-1231
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

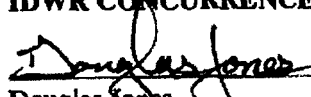
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

Michael P. Lawrence
Attorney for Y 3 Ranch
4/8/11
Date

IDWR CONCURRENCE:

Douglas Jones
Engineer, Technical 1
3/12/11
Date

IDWR CONCURRENCE:

Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR
3/18/11
Date

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

RIGHT NUMBER: 37-1231

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

SOURCE: UNNAMED STREAM Tributary: SINKS

Source identified as unnamed stream is water that accumulates in the delivery ditch between the Uhrig 63 Diversion and the place of use for this right.

This is subject to the terms and conditions pursuant to the 1/30/1952 Uhrig et al vs. Coffin et al Idaho Supreme Court Decision No. 7801.

QUANTITY: 5.600 CFS

This right is limited to 2.0 cfs when right 37-663 is being delivered, once right 37-663 is curtailed, this right is limited to 5.6 cfs.

Right Nos. 37-51, 37-663 and 37-1231 are limited to a total combined diversion rate of 7.6 cfs.

PRIORITY DATE: 05/01/1910

POINT OF DIVERSION:

T01S R18E S10 NWNENE Within BLAINE County

T01S R18E S10 NWNENE Within BLAINE County

The point of diversion described above corresponds to the location on the Uhrig 63 delivery ditch as it enters the place of use for this right.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	5.600 CFS

PLACE OF USE: IRRIGATION within BLAINE County

<u>T01S R18E S04 NESE 37.0</u>	<u>T01S R18E S04 NWSE 27.0</u>
<u>T01S R18E S04 SWSE 20.0</u>	<u>T01S R18E S04 SESE 40.0</u>
<u>T01S R18E S09 NENE 40.0</u>	<u>T01S R18E S09 SENE 4.5</u>
<u>T01S R18E S09 SENE 3.8</u>	<u>T01S R18E S09 SENW 4.8</u>
<u>T01S R18E S09 NESW 37.0</u>	<u>T01S R18E S09 SESW 41.0</u>
<u>T01S R18E S09 NESE 23.0</u>	<u>T01S R18E S09 NESE 22.0</u>
<u>T01S R18E S09 NWSE 9.6</u>	<u>T01S R18E S09 SWSE 35.0</u>
<u>T01S R18E S09 SESE 31.0</u>	<u>T01S R18E S10 NENE 4.9</u>
<u>T01S R18E S10 NWNE 3.7</u>	<u>T01S R18E S10 SWNE 10.0</u>
<u>T01S R18E S10 NWNW 5.7</u>	<u>T01S R18E S10 SWNW 15.0</u>
<u>T01S R18E S10 SWNW 35.0</u>	<u>T01S R18E S10 SEWN 33.0</u>

379.2 ACRES TOTAL

149.8 ACRES TOTAL

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

Right Nos. 37- 51, 37-663 and 37-1231 are limited to the irrigation of a combined total of 265.7 acres in a single irrigation season.

Right Nos. 37-51, 37-663, 37-1231 and 37-22329 are limited to the irrigation of a combined total of 379.2 acres in a single irrigation season.

Right Nos. 37-663 and 37-1231 are limited to the irrigation of a combined total of 171 acres in a single irrigation season.

~~Right Nos. 37-663, 37-1231, 37-7113A, and 37-7838A are limited to the irrigation of a combined total of 185.7 acres in a single irrigation season.~~

~~Right Nos. 37-663 and 37-1231 are limited to the irrigation of a combined total of 169.8 acres in a single irrigation season.~~

~~Right Nos. 37- 51, 37-663, 37-1231, 37-7113A, and 37-7838A are limited to the irrigation of a combined total of 265.9 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 - Decreed

Right No. 37-22329 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

~~The point of diversion described above corresponds to the location on the Uhrig-63 delivery ditch as it enters the place of use for this right.~~

CB

MPL

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of April, 2011, the foregoing was filed, served, or copied as follows:

ORIGINAL FILED

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

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☐ Hand Delivered
☐ Overnight Mail
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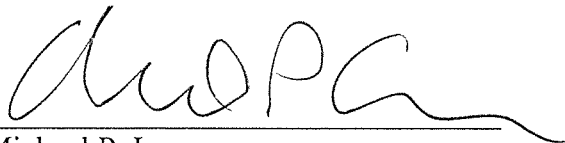
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Michael P. Lawrence