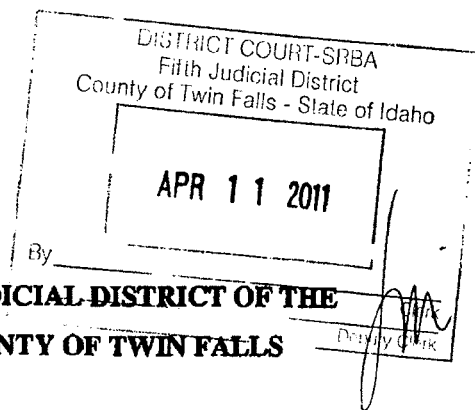




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No.: 37-7113A

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:

 4/8/11

Michael P. Lawrence Date
Attorney for Y 3 Ranch

IDWR CONCURRENCE:

 3/12/11

Douglas Jones Date
Engineer, Technical 1

IDWR CONCURRENCE:

 3/18/11

Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

03/17/2011

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

RIGHT NUMBER: 37-7113A

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.040 CFS
266.00 AFY

Rights 37-7113A and 37-7838A when combined shall not exceed a total diversion rate of 1.52 cfs nor a total annual maximum diversion volume of 266.7 af.

PRIORITY DATE: 09/29/1971

POINT OF DIVERSION:

T01S R18E S10 NWNE Within BLAINE County
T01S R18E S10 SWNW Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/15 10/15	1.040 CFS 266.00 AFY

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in BLAINE County

T01S R18E S10	NWNE	6.60	T01S R18E S10	SWNE	6.30
T01S R18E S10	NENW	7.30	T01S R18E S10	NWNW	0.60
T01S R18E S10	SWNW	21.00	T01S R18E S10	SENW	33.00
T01S R18E S10	NESW	0.90	T01S R18E S10	NWSW	0.50
76.2 ACRES TOTAL					

This right is limited to the irrigation of 76.0 acres within the place of use described above in a single irrigation season.

Right Nos. 37-7113A and 37-7838A are limited to the irrigation of a combined total of 76.2 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. 37-51, 37-7113A, and 37-7838A are limited to the irrigation of a combined total of 156.4 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.~~

CR
MPL

03/17/2011

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

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

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Failure of the right holder to comply with the conditions of ~~this~~ transfer no. 4977 is cause for the Director to rescind approval of the transfer.

DF
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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☐ Overnight Mail
☐ Facsimile
☐ E-mail

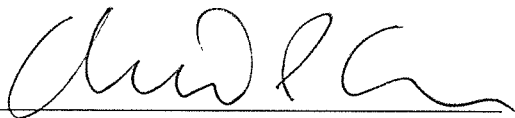
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Michael P. Lawrence