

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

NOV 10 2011

By _____

**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. 37-22243

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.

CLAIMANTS/OBJECTOR

Jayne D Murrel Revocable Trust
Michael Flinn


Fritz Haemmerle, Attorney

Date 10/10/11

STANDARD FORM 5 - 37-22243

IDWR Concurrence:


IDWR Agent 11/10/11
Date


Deputy Attorney General, IDWR 11/10/11
Date

CERTIFICATE OF MAILING

I certify that on Nov 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:

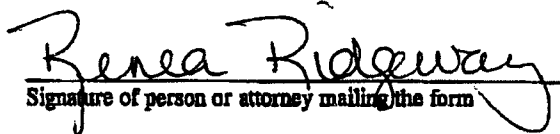
1. Original to:

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:

JAYNE D MURREL REVOCABLE TRUST
MICHAEL FLINN
Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

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


Signature of person or attorney mailing the form

01/25/2011

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

RIGHT NUMBER: 37-22243

NAME AND ADDRESS: JAYNE D MURREL REVOCABLE TRUST
C/O THE MURREL COMPANY
2439 W COAST HWY STE 200

NEWPORT BEACH CA 92663

MICHAEL FLINN
C/O THE MURREL COMPANY
2439 W COAST HWY STE 200

NEWPORT BEACH CA 92663

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.120 CFS
21.00 AFY

PRIORITY DATE: 08/09/1912

POINT OF
DIVERSION:

T02N R18E S35 NWNESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.120 CFS 21.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35	NWSE	6.00	T02N R18E S36	NWSE	0.10
6.1 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 6.1 acres in a single irrigation season. Combined Right Nos.: 37-22211 and 37-22243.

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

Right No. 37-22244 is also diverted through point of diversion described above.

This right is a split from former right 37-4238.