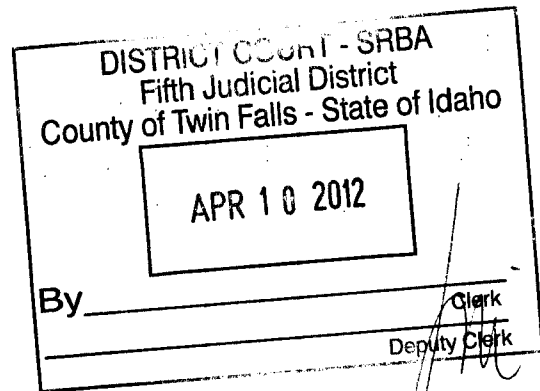


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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No. 22-13723A

Split from 22-13723

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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):

Jerald Gee

Kerry Gee

OBJECTOR(s):

Wells Fargo Bank, N.A.

H. M. Erickson 4/6/2012

 H. M. Erickson Date
 Attorney for Claimant

C. Timothy Hopkins 4/9/12

 C. Timothy Hopkins Date
 Attorney for Objector

**IDaho DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW**

RIGHT NUMBER: 22-13723A
NAME AND ADDRESS: JERALD GEE
2164 E HWY 33
SUGAR CITY ID 83448

JERRY GEE
2164 E HWY 33
SUGAR CITY ID 83448

OK
Wt
ct

SOURCE: GROUND WATER **TRIBUTARY:**
QUANTITY: 0.180 CFS
60.00 AFT

PRIORITY DATE: 10/10/1974

**POINT OF
DIVERSION:**

TOWN BASIN 805 NEARBY Within TETON County

**PURPOSE AND
PERIOD OF USE:**

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.180 CFS 60.00 AFT

PLACE OF USE: IRRIGATION in TETON County

TOWN BASIN 805 NEARBY 34.00
14 ACRES TOTAL

This right is limited to the irrigation of 20 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 water right is subject to a private agreement entered into between Jerry GEE & Kathleen GEE and Wells Fargo Bank, NA dated March 30, 2012 and recorded as Instrument No. 221561 in Teton County.

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

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

This right is a split from right 22-13723.

IDWR Concurrence:

f. Carla Fritschel 4-10-12
Denise Kidman Date
Water Resource Agent

Andrea L. Courtney 4/15/12
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on April 10, 2012, 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

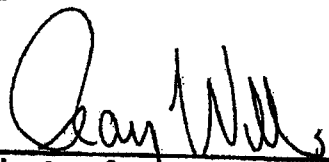
VIA FAX
& MAIL

2. Copies to:

KERRY GEE
Represented by:
HYRUM D. ERICKSON
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

WELLS FARGO BANK, N.A.
Represented by:
C. TIMOTHY HOPKINS
428 PARK AVE.
P.O. BOX 51219
IDAHO FALLS, ID 83405-1219

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney