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JUL 23 2003

Department of Water Resources

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

Case No. 39576

Subcase No. 63-04760

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 the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River 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 claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

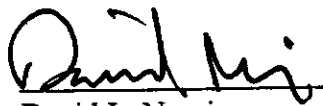
CLAIMANT:

King Lodes, Inc


Patrick O. Smith, President Date

OBJECTOR:

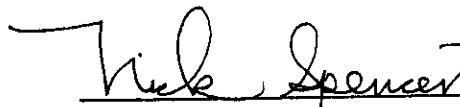
United States on behalf of the
USDA Forest Service

 7/22/03
David L. Negri Date

IDWR CONCURRENCE:

 7-22-03
Jan Shurte Date

ATTORNEY FOR IDWR:

 7-22-03
Nicholas B. Spencer Date

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

RIGHT NUMBER: 63-4760

NAME AND ADDRESS: KING LODES INC
1911 EUCLID AVE
BOISE ID 83706SOURCE: GRIMES CREEK
UNNAMED STREAMTRIBUTARY: MORES CREEK
TRIBUTARY: GRIMES CREEK

QUANTITY: 1.380 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T07N R06E S2 SENESE Begin of Stream Flow Within BOISE County
T07N R06E S2 SWSE Within BOISE County
T07N R06E S2 SWSE Within BOISE County
T08N R06E S25 NESWNW End of Stream Flow Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINING	03/01 11/30	1.340 CFS
DOMESTIC MINING CAMP	03/01 11/30	0.040 CFS

PLACE OF USE:

MINING Within BOISE County

T07N R06E S02	NWNE	T07N R06E S02	SWNE
T07N R06E S02	NESE	T07N R06E S02	NWSE
T07N R06E S02	SWSE	T07N R06E S02	SESE
T08N R06E S25	SWNW	T08N R06E S25	SENW
T08N R06E S25	NESW	T08N R06E S25	SWSW
T08N R06E S35	NESE	T08N R06E S35	SESE
T08N R06E S36	NWNW	T08N R06E S36	SWNW
T08N R06E S36	NWSW		

DOMESTIC Within BOISE County

T07N R06E S02 SESE

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

DOMESTIC USE IS 1 CABIN AT MINING CAMP

PLACES OF USE ARE WITHIN THE FOLLOWING CLAIMS: CORSE GOLD
PLACER, RUTHEY PLACER, MAMIE PLACER AND GOVERNOR PLACER
ALL WITHIN MINERAL SURVEY (MS) 3420, BADGER LOPE PART OF MS
3418 AND MAUDY MILL SITE.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use

CERTIFICATE OF MAILING

I certify that on July 22, 2003, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original to:

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

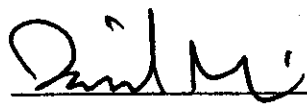
Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Copies to all parties to the subcase (insert names and addresses here):

King Lodes, Inc
1911 Euclid Ave.
Boise, ID 83706



David L. Negri