

NOV 21 2003

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

Subcase No. 63-5323

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.

OBJECTOR(s):

United States of America, acting through
the USDA Forest Service

T. J. N. P. C. A. 11-17-2003
claimant Date

 11-20-03
David L Negri Date
Attorney for USFS
U.S. Dept. of Justice

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IDWR Concurrency:

Jan Shurte 11-14-03
Jan Shurte Date
Adjudication Supervisor

Nicholas B Spencer 11-13-03
Nicholas B Spencer Date
Deputy Attorney General

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

Right Number: 63-05323

Name and Address: TERRY N PLATTS
1313 IDAHO STREET
GOODING, ID 83330

Source: SPRING

Tributary: SKELETON CREEK

Quantity: .15 CFS

Priority Date: 05-01-1934

Diversion Point: T04N R12E S15

NWSWSW

Within Camas County

Purpose and

Period of Use: Purpose of Use
Mining

Period of Use
05-01 TO 12-01

Quantity
.15 CFS

Place of Use: Mining
T04N R12E S15

SWSW

Within Camas County

Other Provisions Necessary for Definition / 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.

THE POINT OF DIVERSION AND PLACE OF USE FOR THIS WATER RIGHT ARE
ON NATIONAL FOREST SYSTEM LAND, AN UNPATENTED MINING CLAIM KNOWN
AS THE REMINGTON LODGE, IMC 26932.

THIS WATER RIGHT IS ONLY FOR USE ON THE REMINGTON LODGE MINING
CLAIM FOR MINING PURPOSES AUTHORIZED UNDER STATE AND FEDERAL LAW.

Explanatory Material: Basis of Claim - Beneficial Use

CERTIFICATE OF MAILING

I certify that on November 20, 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

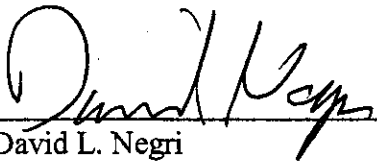
Copy to:

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:

Terry N. Platts
1313 Idaho Street
Gooding, ID 83330



David L. Negri