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DEC 17 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.: 43-10116

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 initialling each of the attached pages.

CLAIMANT/OBJECTOR:

Jeff Sessions 12-12-03
Jeff Sessions Date
Round Mountain Ranch

Jason D. Walker 12/12/03
Jason D. Walker Date
Attorney for Round Mountain Ranch

IDWR CONCURRENCE:

Douglas Jones 12/4/03
Douglas Jones Date
Adjudication Supervisor

Nick Spencer 12-4-03
Approved as to form Date
Attorney for IDWR

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

RIGHT NUMBER: 43-10116

NAME AND ADDRESS:

ROUND MOUNTAIN RANCH
RC 72 BOX 2346
MALTA ID 83342

SOURCE:

RICE CREEK
ROUND MOUNTAIN CREEK

Tributary: ROUND MOUNTAIN CREEK
Tributary: CLEAR CREEK

QUANTITY:

5.160 CFS
1,032.000 AFY

4.460 CFS
892.000 AFY

5 NBS
D/H/DW

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 43-02110 & 43-00286B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1032 AF.

~~USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10824, 43-02061 & 43-02110 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 892 AF.~~

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION:

T16S R27E S13 NESE Within CASSIA County
T16S R27E S13 NESESE Within CASSIA County
T16S R27E S24 NESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 11/01	5.160 CFS 1,032.00 AFY
		~~4.460 CFS 892.00 AFY~~

PLACE OF USE:

IRRIGATION within CASSIA County

T16S R27E S13 NENE 4.0
T16S R27E S13 SWNE 7.0
T16S R27E S13 SENE 15.0
T16S R27E S13 NESW 40.0
T16S R27E S13 NESE 29.0
T16S R27E S13 NWSE 33.0
T16S R27E S13 SWSE 40.0
T16S R27E S13 SESE 40.0
T16S R27E S24 NENE 33.0
T16S R27E S24 NWNE 4.0
T16S R28E S19 NWNW Lot 1 13.0

~~T16S R27E S13 NESW 5.0~~

258 ACRES TOTAL

223 ACRES TOTAL

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

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-00286B, 43-10824, 43-02061,
AND 43-02110 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 258
ACRES IN A SINGLE IRRIGATION SEASON.

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.

NBS
JX
PDW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of December, 2003, I caused to be served a true and correct copy of the foregoing by the following method to:

1. Original to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Jason D. Walker
Ling, Robinson & Walker
P.O. Box 396
Rupert, ID 83350-0396

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Courtesy Copy to:

Jeff Sessions
Round Mountain Ranch
HC 72 Box 2346
Malta, ID 83342

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form