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MAR 30 2004
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

SUBCASE NO: 29-13224

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. 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; and 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.

CLAIMANT:

Kenneth Bullock 3/18/04
Kenneth Bullock, Mayor Date
City of McCammon, Idaho

OBJECTOR:

Larry Brown 3/25/04
Larry Brown, USDOJ Fwp Date
Attorney for BLM and Forest Service

IDWR CONCURRENCE:

Ernie Carlson 3/8/04
Ernie Carlson Date
Adjudication Supervisor, Eastern Region

Candice M. McHugh 3/8/04
Candice M. McHugh (As to Form) Date
Attorney for IDWR

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

RIGHT NUMBER: 29-13224

NAME AND ADDRESS:

CITY OF MC CANNON
PO BOX 9
MC CANNON ID 83250-0009

SOURCE:

Source:
CRYSTAL SPRINGS

FWP

Tributary:

PORTNEUF RIVER

QUANTITY:

0.700 CFS

0.000 AFT

USE OF THIS RIGHT WITH RIGHT NO. 29-224 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.20 CFS.

PRIORITY DATE:

07/01/1892

POINT OF DIVERSION:

T09S R37E S3 SE1/4 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

MUNICIPAL

01/01 12/31

0.700 CFS

PLACE OF USE:

MUNICIPAL within BANNOCK County

T09S R36E S01
T09S R36E S12
T09S R36E S13
T09S R36E S14

0 ACRES TOTAL

Place of use is within the service area of the City of Mc Cannon municipal
water supply system as provided for under Idaho Law.

~~Place of use is within the city of MC CANNON and surrounding service area.~~

THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE
ON FEDERAL PUBLIC LAND.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SEASON OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-200, 201, AND 202.

Fwp
JAB

AB

CERTIFICATE OF MAILING

I certify that on Mar. 25, 2004 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

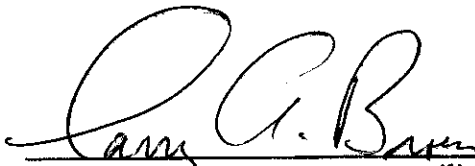
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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

Larry Brown
US DOJ
Attorney for BLM
550 W. Fort St. MSC 033
Boise, ID 83724

Kenneth Bullock, Mayor
City of McCammon, Idaho.
P.O. Box 9
McCammon, ID 83250


Signature of person or attorney mailing the form