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APR 12 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: 29-4083

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:

Marti E. Bingham Date
Marti E. Bingham

CLAIMANT:

Ivan Bingham 4-6-04 Date
Ivan Bingham

OBJECTOR:

Larry A. Brown 4/8/04 Date
Larry Brown, USDOJ FWP
Attorney for BLM

IDWR CONCURRENCE:

Ernie M. Carlsen 5 Mar 04 Date
Ernie Carlsen
Adjudication Supervisor, Eastern Region

Candice M. McHugh 3/4/04 Date
Candice M. McHugh
Attorney for IDWR

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

RIGHT NUMBER: 29-4083

NAME AND ADDRESS:

~~IVAN BINGHAM~~
~~PO BOX 310~~
~~FREMONT UT 84337~~
~~MARTI E BINGHAM~~
~~PO BOX 310~~
~~FREMONT UT 84337~~

Ivan Bingham
Marti E. Bingham
14735 N. 4400 W.
Garland, UT 84312

SOURCE: Source:
UNNAMED STREAM

Tributary:
RIGHT FORK KNOX CREEK

QUANTITY: 0.360 CFS 0.000 AFS

PRIORITY DATE: 06/14/1932

FWP

JB
MB
LAB

POINT OF DIVERSION:

~~T108 R32E S35 NESE~~ Within POWER County

~~T108 R32E S35 NWSE~~ Within POWER County

~~POINT OF DIVERSION IS ON LINE DIVIDING T108, R32E, S35, NWSE AND SESE.~~

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	06/01 10/31	0.300 CFS
STOCKWATER	01/01 12/31	0.040 CFS
DOMESTIC	01/01 12/31	0.020 CFS

SMC
EMC

PLACE OF USE:

IRRIGATION	within POWER County	
T108 R32E S35 NESE 13.0		T108 R32E S35 SESE 2.0
STOCKWATER	within POWER County	
T108 R32E S35 NESE		
DOMESTIC	within POWER County	
T108 R32E S35 NESE		

15 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Apr. 8, 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

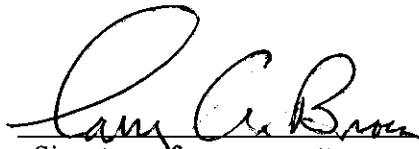
2. Copies to:

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

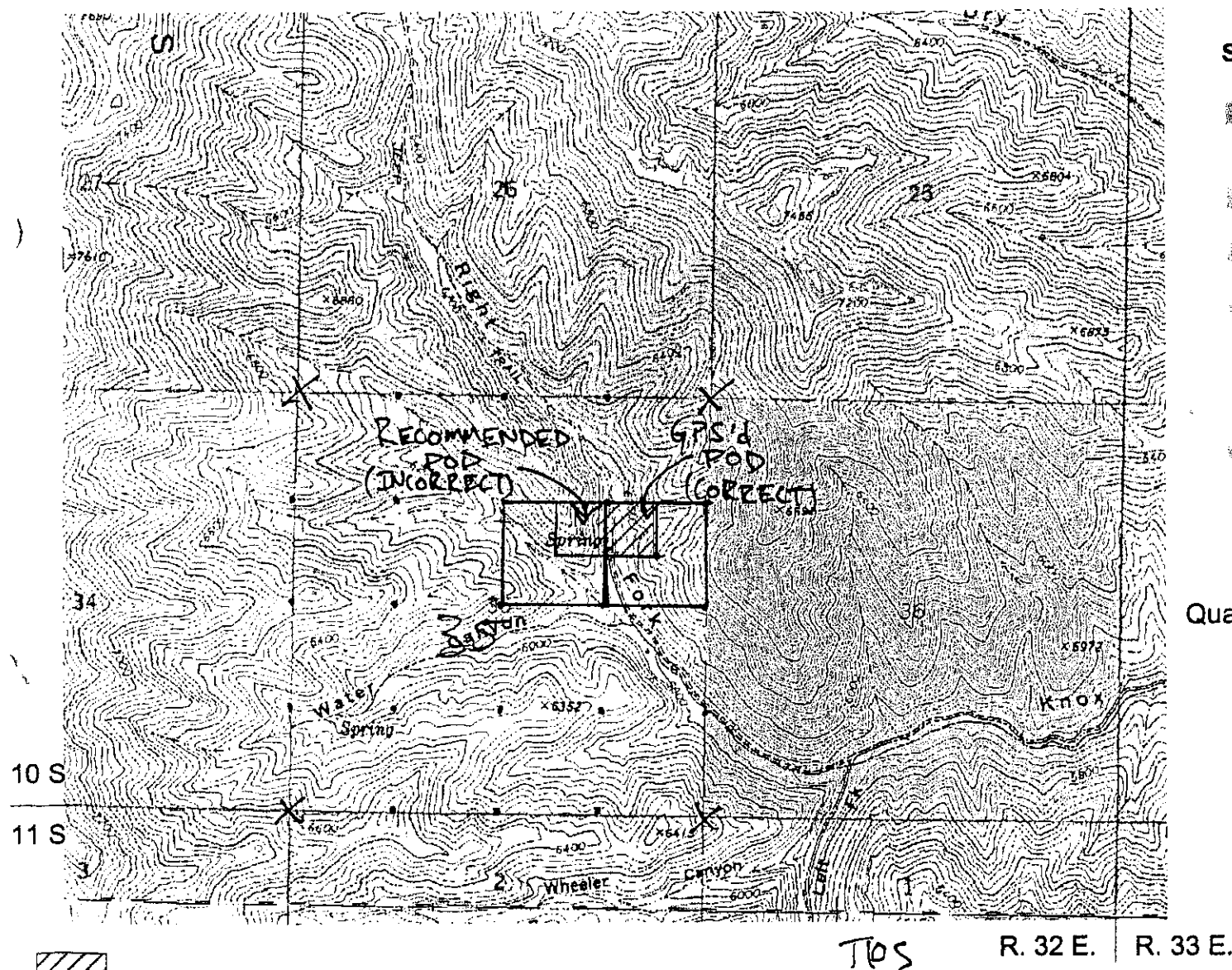
IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

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

Marti E. Bingham
Ivan Bingham
~~P.O. Box 310~~ 14735 N. 4400 W.
Fremonton, UT 84337
CARLAND, UT 84312


Signature of person or attorney mailing the form

SRBA Claim #29-4083



- + Point Determined by GPS
- Surface Ownership
 - BLM
 - BIA
 - LU_DOI
 - LU_USDA
 - MIL
 - NPS
 - USFWS
 - PRIVATE
 - STATE
 - US Forest Service



No warranty is made by the BLM for the use of land management information for any purpose other than that for which it was collected.

DRAFT



050103em

Quad Map Name: Bannock Peak



1:24000



BLM administered land claimed by private claimant

Note: Depicted 40 acre tracts are POU's and 10 acre tracts are PODs unless otherwise noted.