

**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: 29-2297

Case No. 39576

STANDARD FORM 5

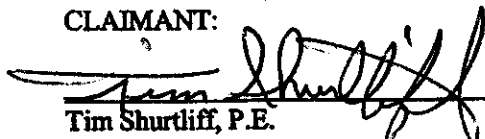
STIPULATED ELEMENTS OF A
WATER RIGHT

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.

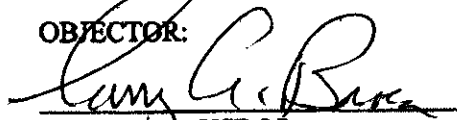
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

 4/13/04

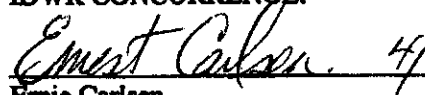
Tim Shurtliff, P.E. Date
Bannock County Engineer

OBJECTOR:

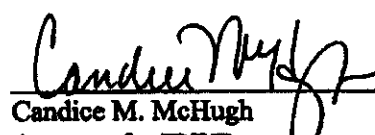
 4/14/04

Larry Brown, USDOJ Date
Attorney for BLM

IDWR CONCURRENCE:

 4/7/04

Ernie Carlsen Date
Adjudication Supervisor, Eastern Region

 4/7/04

Candice M. McHugh Date
Attorney for IDWR

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

RIGHT NUMBER: 29-2297

NAME AND ADDRESS:

COUNTY OF BANNOCK
624 E CENTER ST
POCATELLO ID 83201

SOURCE: Source:
UNNAMED STREAM

Tributary:
SINKS

QUANTITY: 0.040 CFS 0.000 AFY
THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/19/1951

POINT OF DIVERSION:

T07S R35E S34 SW1/4
Within BANNOCK County


T07S R35E S34 SW1/4
Within BANNOCK County



PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	0.040 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION within BANNOCK County
T07S R35E S28 N1/4 1.4
T07S R35E S28 N1/4 0.6
DOMESTIC Same as IRRIGATION
2 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 - License

SOURCE IS ALSO KNOWN AS OLD MINE TUNNEL.

CERTIFICATE OF MAILING

I certify that on 4/14, 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

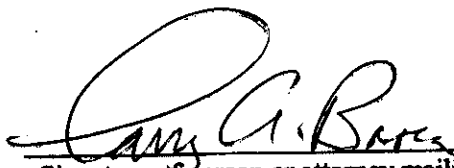
2. Copies to:

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

Tim Shurtliff, P.E.
Bannock County Engineer/ Office of Planning
& Development Services
130 N. 6th, Suite C
Pocatello, ID 83201


Signature of person or attorney mailing the form