

**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: 29-10121

Case No. 39576

STANDARD FORM 5

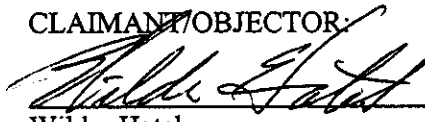
STIPULATED ELEMENTS OF A
WATER RIGHT

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 indicate their concurrence by their signatures below and by initialing each of the attached pages.

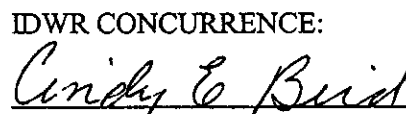
CLAIMANT/OBJECTOR:

 4/22/04
Date

Wilder Hatch

King Creek Grazing Association

IDWR CONCURRENCE:

 4/22/04  4/22/04
Date Date

Cindy Bird

Water Resource Agent, IDWR

Candice M. McHugh

Attorney for IDWR

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

RIGHT NUMBER: 29-10121
NAME AND ADDRESS: ~~THE THELMA REDFORD SPOUSAL~~
~~TRUST~~
~~2882 NIPPER RD~~
~~BANCROFT ID 83217~~

KING CREEK GRAZING ASSN
C/O WILDER HATCH, PRESIDENT
2787 KELLY TOPONCE RD
BANCROFT ID 83217

SH
CEB
SMC

SOURCE: TOPONCE CREEK

Tributary: PORTNEUF RIVER

QUANTITY: 3.536 CFS
619.5 AFY

PRIORITY DATE: 07/06/1868

POINT OF DIVERSION:

T06S R38E S34 NWNESE Within CARIBOU County
T06S R38E S35 SWSENE Within CARIBOU County
T06S R38E S35 NWSENE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	3.536 CFS <u>619.5 AFY</u>

PLACE OF USE:

IRRIGATION within CARIBOU County
T07S R38E S01 NENE Lot 1 21.0
T07S R38E S01 NWNE Lot 2 26.0
T07S R38E S01 SWNE 40.0
T07S R38E S01 SENE Lot 5 32.0
T07S R38E S01 NENW Lot 3 26.0
T07S R38E S01 NWNW Lot 4 27.0
T07S R38E S01 SWNW 40.0
T07S R38E S01 SENW 40.0
T07S R38E S01 NESE Lot 6 32.0
T07S R38E S01 NWSE 40.0

324 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 177 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE 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.

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

[Handwritten signature]

CB

8m^c

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS. 29-1, 29-2
AND 29-3; AND ALL OF RIGHTS 29-241 AND 29-242.

~~THIS RIGHT IS A COMBINATION OF PART OF THE OLD RIGHT NOS. 29-1, 29-2,
29-3, 29-241 AND 29-242.~~

CERTIFICATE OF MAILING

I certify that on 11-22, 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

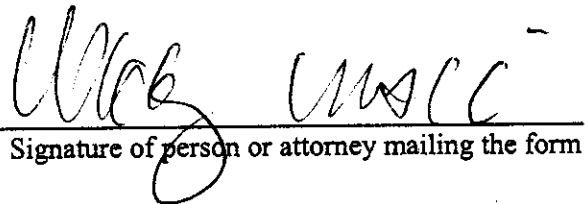
2. Copies to:

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

Craig Redford
The Thelma Redford Spousal Trust
2882 Nipper Rd.
Bancroft, ID 83217

Wilder Hatch
King Creek Grazing Association



Signature of person or attorney mailing the form