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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: 31-11768
(FORMERLY 31-308)

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.

To resolve the objection, water right 31-308 was split into two water rights and renumbered as 31-11768 and 31-11769. The parties and IDWR agree and stipulate that water right 31-11768 should be described per the attached. The parties and IDWR further agree that this SF5 will resolve the objection filed by the BLM in subcase 31-308 and have indicated their concurrence by signing below and initialing the attached pages.

CLAIMANT:

Kent Foster
Kent Foster
Attorney for Sheridan Golden Eagle

4/2/2002
Date

OBJECTOR:

Larry Brown
Larry Brown
Attorney for DOJ/BLM

4/10/02
Date

IDWR CONCURRENCE:

Ernie Carlsen
Ernie Carlsen
Adjudication Supervisor, IDWR

April 2, 2002
Date

Candice M. McHugh
Candice M. McHugh (As to Form)
Attorney for IDWR

4/5/02
Date

10/10/11

FWP

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OK.
8/10
8m=

FWP

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E. H. C.

$$S_m^c$$

CERTIFICATE OF MAILING

I certify that on 4/6/07, 2002 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

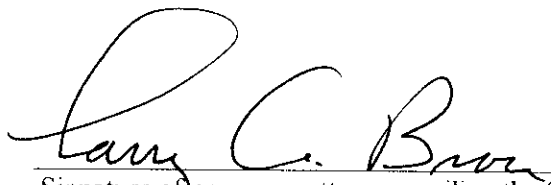
2. Copies to:

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

Kent Foster
Attorney for Sheridan Golden Eagle
P.O. Box 50130
Idaho Falls, ID 83405

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

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



Signature of person or attorney mailing the form