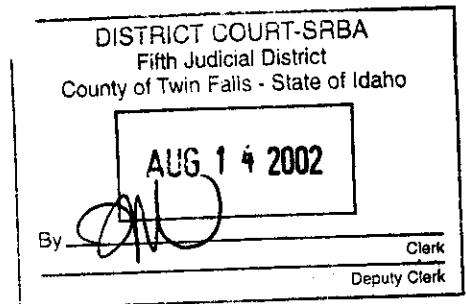




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No.: 43-2532E
	)	
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 and/or one federal reserved water right. 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; that 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:

William H. Tracy 8-13-02
for J E Tracy, Inc. Date

OBJECTOR:

Brent Jones
Tammy Jones 8-13-02
Brent Jones Tammy Jones Date

IDWR CONCURRENCE:

[Signature] 8-13-02
Sr. Water Resource Agent Date

Candice McFlyn 8/13/02
Approved as to form Date
Attorney for IDWR

CERTIFICATE OF SERVICE

I certify that on _____, 2002, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

J E Tracy, Inc.
P.O. Box 138
Almo, ID 83312

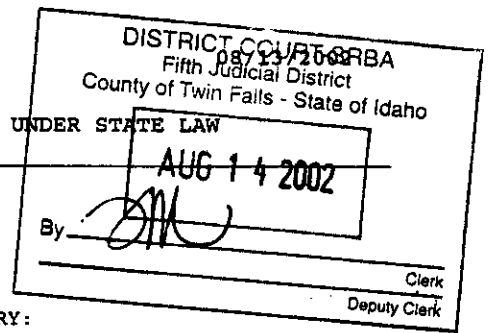
☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Brent Jones
P.O. Box 151
Almo, ID 83312

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW



RIGHT NUMBER: 43-2532E
NAME AND ADDRESS: J E TRACY INC
PO BOX 138
ALMO ID 83312
SOURCE: GROUND WATER
QUANTITY: 3.40 CFS
611.0 AFY
PRIORITY DATE: 06/15/1961
POINT OF DIVERSION:

TRIBUTARY:

T15S R24E S27 NENWNE Within CASSIA County
~~T15S R24E S22 NWSESE Within CASSIA County~~

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	4/01 10/31	0.090 CFS
IRRIGATION	4/01 10/31	3.400 CFS 611.00 AFY

PLACE OF USE: STOCKWATER Within CASSIA County

T15S R24E S23	SWSW	T15S R24E S23	SESW
T15S R24E S26	NWNW	T15S R24E S26	SWNW
T15S R24E S27	NENE	T15S R24E S27	SENE

IRRIGATION Within CASSIA County

T15S R24E S23	SWSW	40.0	T15S R24E S23	SESW	40.0
T15S R24E S26	NWNW	38.0	T15S R24E S26	SWNW	10.0
T15S R24E S27	NENE	29.0	T15S R24E S27	SENE	10.0

167 ACRES TOTAL

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43D.
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:

STOCKWATER 400 RANGE
RIGHT NO. 43-02532D IS ALSO DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM ALMO WATER
COMPANY.