

**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. <u>65-09483</u>
	)	
	)	Standard Form 5
Case No. 39576	)	
	)	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 the facts, data, expert opinions and law supporting the issuance of a partial decree for the water right.

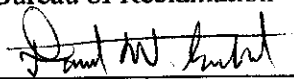
The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

Thus, IDWR and the parties 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.

This agreement also settles the claims and objections heretofore filed and identified as SRBA subcase number 65-09483C. All parties agree to bear their own costs and attorney's fees in connection with this matter.

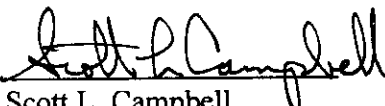
CLAIMANT:

United States on behalf of the
Bureau of Reclamation

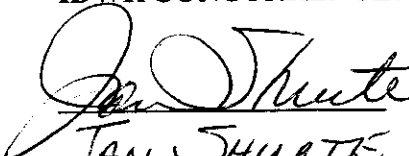
	<u>6/26/02</u>
David W. Gehlert	Date
Attorney, U.S. Department of Justice Environment and Natural Resources Division	

OBJECTORS:

Emmett Irrigation District

	<u>7/1/02</u>
Scott L. Campbell	Date
Moffatt, Thomas, Barrett Rock & Fields, Chtd.	

IDWR CONCURRENCE:

	<u>7-1-02</u>
JAN SHURTLE	Date

IDWR CONCURRENCE:

	<u>7/1/02</u>
GARRICK BAXTER	Date

RIGHT NUMBER: 65-9483

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD SUITE 100
BOISE ID 83706-1234

AB

PURPOSE AND
PERIOD OF USE:

PLACE OF USE:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CERTIFICATE OF MAILING

I certify that on July 1, 2002 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to: Clerk of the District Court *by fax*
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

U.S. Department of Justice Depository
Environment and Natural Resources Div.
550 West Fort Street, MSC 033
Boise ID 83724

IDWR Document
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

Regional Director, PN Region Code 3100
U.S. Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, ID 83706-1234

Bert L. Osborn
26 S. 9th Street
P.O. Box 158
Payette, ID 83661

Scott L. Campbell
Moffatt Thomas
P.O. Box 829
Boise, ID 83701-0829

Odette Kelly
Signature of person mailing
the form.