

**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: 29-4160

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/ OBJECTOR:

Randall C. Budge 10/12/04
Randall C. Budge Date
Attorney for Debra and Donald Hall

OBJECTOR:

Jeanette Wolfley 10/21/04
Jeanette Wolfley Date
Attorney for the Shoshone-Bannock Tribes

IDWR CONCURRENCE:

Ernie Carlsen 10/28/04
Ernie Carlsen Date
Adjudication Supervisor, IDWR

Candice M. McHugh 10/28/04
Candice M. McHugh Date
Attorney for IDWR

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

RIGHT NUMBER: 29-4160

NAME AND ADDRESS:

DEBRA HALL
4234 S MARSH CREEK RD
MC CAMMON ID 83250

DONALD K HALL
4234 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE:

Source:

SPRING

Tributary:

SINKS

QUANTITY:

0.150 CFS

~~0.700 CFS~~

PRIORITY DATE:

05/24/1888

06/14/1867

POINT OF DIVERSION:

T08S R36E S27 NWNWNW Within BANNOCK County

T08S R36E S27 SWNWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.150 CFS

~~4/01 11/01~~

~~0.700 CFS~~

REB ju

PLACE OF USE:

IRRIGATION

within BANNOCK County

~~T08S R36E S27 NWNW 9.9~~

T08S R36E S27 NWNW 4.9

~~T08S R36E S27 NWNW 24.0~~

~~T08S R36E S27 SWNW 0.6~~

REB ju

4.9 ACRES TOTAL

~~24.5 ACRES TOTAL~~

SM^a EMC

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 - Beneficial Use

OTHER STIPULATIONS OF PARTIES: The place of use of water is limited to the original allotment and will not be transferred.

*ju
REB*

CERTIFICATE OF MAILING

I certify that on Oct 28, 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

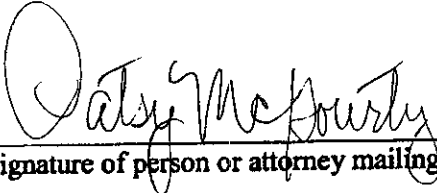
2. Copies to:

Brandelle Whitworth
Tribal Counsel Office
PO Box 306
Fort Hall, ID 83203

Jeanette Wolfley
202 North Arthur
Pocatello, ID 83202

Randall C. Budge
PO Box 1391
201 E Center, STE A2
Pocatello, ID 83204-1391

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person or attorney mailing the form