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FEB 27 2006

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	)	Subcase No. <u>45-12921</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, date, 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.

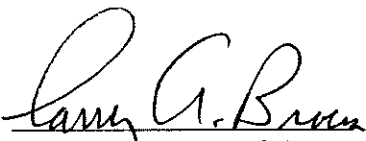
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

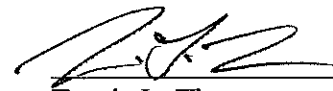
United States on behalf of the
Bureau of Land Management

OBJECTORS:

Scott Bedke
Karl U. Bedke
Patricia Bedke
Michael A. Poulton

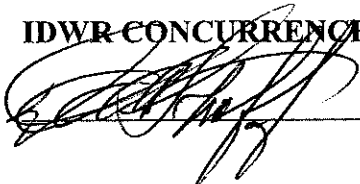

Larry A. Brown *MB*
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

2/23/2006
Date


Travis L. Thompson
of Attorneys for Objectors

2/15/06
Date

IDWR CONCURRENCE:


2-22-06
Date

IDWR CONCURRENCE:

Date

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

RIGHT NUMBER: 45-12921

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: GOOSE CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.15 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/05/1965

fas MS 227 AS

POINT OF

DIVERSION:	T14S R22E S17	SWNWSW	Within CASSIA County
	T14S R22E S19	NWNE	Within CASSIA County
	T14S R22E S19	SWNE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	03/15 11/15	0.15 AFY
~~WILDLIFE~~	~~03/15 11/15~~	~~0.15 AFY~~

PLACE OF USE:

STOCKWATER Within CASSIA County
T14S R22E S08 NESE

~~WILDLIFE~~ ~~Within CASSIA County~~
~~T14S R22E S08 NESE~~

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND WESTERN STOCKGROWERS ASSOCIATION ET AL., FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT NO. 289179; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use

BLM Record 4502480202

SOURCE IS ALSO KNOWN AS WATER LANE RESERVOIR, PROJECT
NUMBER 0564. GOOSE CREEK FILLS THIS RESERVOIR AND THUS
SUPPLIES THIS REDIVERSION AS WATER LANE RESERVOIR.

MS
727
LB *[Signature]*

CERTIFICATE OF MAILING

I certify that on Feb. 23, 2006, I 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
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

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

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Travis L. Thompson
113 Main Avenue West, Suite 303
Twin Falls, Idaho 83301-6167

Attorney for: Scott Bedke
Karl U. Bedke
Patricia Bedke
Michael A. Poulton



Signature of person or attorney mailing the form