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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

Subcase No. 65-22745

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 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 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:

A. L. Cattle Inc.

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Agnes L. Brailsford 2-6-06
Agnes L. Brailsford - President Date

Larry A. Brown 2/23/2006
Larry A. Brown MB Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

Travis L. Thompson 2/6/06
Travis L. Thompson Date
of Attorneys for A. L. Cattle Inc

IDWR CONCURRENCE

Shelley M. Davis 2/6/06
Shelley M. Davis Date
of Attorneys for A. L. Cattle Inc

[Signature] 2-22-06
Date

Date

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

RIGHT NUMBER: 65-22745

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT ID 83617

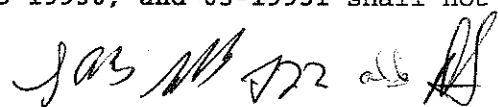
SOURCE: BIG WILLOW CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right ~~when combined with 65-19901, 65-19905, 65-19907, 65-19930, and 65-19931~~ shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/25/1906 03/22/1897



POINT OF DIVERSION:	T08N R02W S1	SWSWNW	Within GEM County
	T10N R01W S13	NWNWSW	End of Stream Flow
			Begin of Stream Flow

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within GEM County

T08N	R01W	S06	NWNE
T08N	R01W	S06	SWNE
T08N	R01W	S06	SWNW
T08N	R01W	S06	SENE
T08N	R01W	S06	NESW
T08N	R01W	S06	NWSW
T08N	R02W	S01	SWNE
T08N	R02W	S01	SENE
T08N	R02W	S01	SWNW
T08N	R02W	S01	SENE
T08N	R02W	S01	NESW
T09N	R01W	S01	NWNW
T09N	R01W	S01	SWNW
T09N	R01W	S01	NWSW
T09N	R01W	S01	SWSW
T09N	R01W	S02	SESE
T09N	R01W	S11	NENE
T09N	R01W	S11	SENE
T09N	R01W	S11	NESE
T09N	R01W	S11	NWSE
T09N	R01W	S11	SWSE
T09N	R01W	S14	NWNE
T09N	R01W	S14	NENW
T09N	R01W	S14	SWNW
T09N	R01W	S14	NESW
T09N	R01W	S14	NWSW
T09N	R01W	S14	SWSW
T09N	R01W	S22	NWNE
T09N	R01W	S22	SWNE

T09N	R01W	S22	SWNW
T09N	R01W	S22	SENW
T09N	R01W	S22	NWSW
T09N	R01W	S28	NWNE
T09N	R01W	S32	SENW
T09N	R01W	S32	NWSW
T09N	R01W	S32	SWSW
T10N	R01W	S13	NWSW
T10N	R01W	S13	SWSW
T10N	R01W	S24	NWNW
T10N	R01W	S24	SWNW
T10N	R01W	S24	NWSW
T10N	R01W	S24	SWSW
T10N	R01W	S25	NWNW
T10N	R01W	S25	SWNW
T10N	R01W	S25	NWSW
T10N	R01W	S25	SWSW
T10N	R01W	S26	SESE
T10N	R01W	S35	NENE
T10N	R01W	S35	SENE
T10N	R01W	S35	NESE
T10N	R01W	S35	SESE
T10N	R01W	S36	SWSW

Handwritten signatures and initials:
 [Signature]
 [Initials]
 [Signature]
 [Signature]

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 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.; the provisions of such Stipulation to apply fully to this water right.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on Feb. 23, 2006^{24th} 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

A.L. Cattle, Inc
P.O. Box 608
Emmett, Idaho 83617

Travis L. Thompson
Barker, Rosholt & Simpson, LLP
113 Main Ave. E., Suite 303
Twin Falls, Idaho 83301

Shelley M. Davis
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701


Signature of person or attorney mailing the form

