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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. 65-22747
)

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.

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

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

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

OBJECTOR:

United States on behalf of the
Bureau of Land Management

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

IDWR CONCURRENCE:

[Signature] 2-22-06
Date

Date

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

RIGHT NUMBER: 65-22747

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

SOURCE: FOURMILE CREEK

TRIBUTARY: BIG WILLOW CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right when combined with
65-19896 and 65-19929 shall not exceed 13,000 gallons per day.

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

POINT OF
DIVERSION:

T09N R01W S4 NENE Lot 1
T09N R01W S32 NENWSW

Within PAYETTE County
Begin of Stream Flow
End of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01/01 12/31

QUANTITY
0.020 CFS

PLACE OF USE:

STOCKWATER

Within PAYETTE County

T09N	R01W	S04	NENE
T09N	R01W	S04	SWNE
T09N	R01W	S04	SENE
T09N	R01W	S04	NWSE
T09N	R01W	S04	SWSE
T09N	R01W	S08	NESW
T09N	R01W	S08	SESW
T09N	R01W	S08	NWSE
T09N	R01W	S08	SWSE
T09N	R01W	S08	SESE
T09N	R01W	S09	NENW
T09N	R01W	S09	SENW
T09N	R01W	S09	NESW
T09N	R01W	S09	NWSW
T09N	R01W	S09	SWSW
T09N	R01W	S17	NENW
T09N	R01W	S17	SWNW
T09N	R01W	S17	SENW
T09N	R01W	S18	NESE
T09N	R01W	S18	SESE
T09N	R01W	S19	NENE
T09N	R01W	S19	SENE
T09N	R01W	S19	NESE
T09N	R01W	S20	NWSW
T09N	R01W	S20	SWSW
T09N	R01W	S29	NWNW
T09N	R01W	S29	SWNW
T09N	R01W	S29	NWSW
T09N	R01W	S29	SWSW
T09N	R01W	S32	NENW

T09N R01W S32
T09N R01W S32
T09N R01W S32

NWNW
SENW
NWSW

JAB *11* *227* *cc* *RS*

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^{JAC} 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

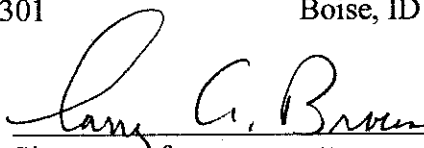
3. Copies to all parties to the subcase (insert names and addresses):

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

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Emmett, Idaho 83617

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Signature of person or attorney mailing the form