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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

Case No. 39576

Subcase No. 69-4012

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 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; 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(s):

Darrell Brown & Manila Brown

Darrell Brown 7-28-06
Darrell Brown Date

Manila Brown 7/28/06
Manila Brown Date

OBJECTOR(s):

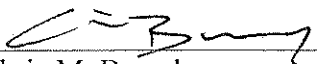
United States of America on behalf of the
Bureau of Land Management

Larry A. Brown 6/30/06
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR Concurrence:



Michael Ciscell Date 6/22/06



Chris M. Bromley Date 6/22/06
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on June 30, 2006, 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:

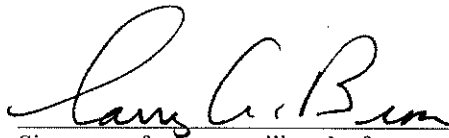
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDI Bureau of Land Management
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Darrell & Manila Brown
2260 Orchard Rd
Council, ID 83612

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



Signature of person mailing the form

05/30/2006

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

RIGHT NUMBER: 69-4012

NAME AND ADDRESS: DARRELL L BROWN
2260 ORCHARD RD
COUNCIL ID 83612

MANILA A BROWN
2260 ORCHARD RD
COUNCIL ID 83612

SOURCE: EMERY CREEK
WILDHORSE RIVER

TRIBUTARY: WILDHORSE RIVER
TRIBUTARY: SNAKE RIVER

QUANTITY: 2.520 CFS

Fwp

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1898

POINT OF
DIVERSION:

T18N R03W S7 SWSWSW Lot 4 Within ADAMS County
T18N R04W S24 SWNENW Within ADAMS County
T18N R04W S24 SWNENW Rediversion Within ADAMS County
T18N R04W S24 SWNENW Injection Within ADAMS County
T18N R04W S24 SWNENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 10/31	2.460 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T18N R03W S18 Lot 1 NWNW	2.40	T18N R04W S13 Lot 4 <u>6</u> NENE	0.20
T18N R04W S13 Lot 2 SENE	7.80	T18N R04W S13	NESW 2.20
T18N R04W S13	SESW 9.20	T18N R04W S13	NWSE 9.70
T18N R04W S23	SENE 1.50	T18N R04W S24	NENW 10.00
T18N R04W S24	NWNW 5.00	T18N R04W S24	SWNW 6.30

54.3 ACRES TOTAL

DOMESTIC Within ADAMS County

T18N R04W S24 NWNW

STOCKWATER same as IRRIGATION

Place of use does not include federal public lands

JAC
QB.
M.B.

CMB
WAC

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 50 range cattle.

Fup CMB
QB v. He
M.B.

JS