

JUL 25 2006	
By _____	Clerk
_____	Deputy Clerk

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

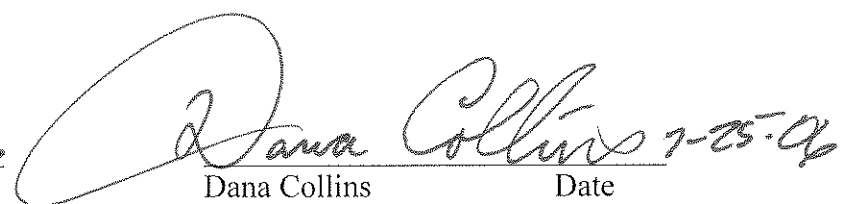
In Re SRBA	)	Subcase No. 27-4004
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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 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.

CLAIMANTS/OBJECTORS:

	
Cheryl Collins	Dana Collins
7-25-06	7-25-06
Date	Date

OBJECTOR:

Jeanette Wolfley 7/25/06
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

RESPONDENT:

David J. Barber 7-25-06
~~David J. Barber~~ *Roger Coe* Date
Attorney for State of Idaho

IDWR Concurrence:

Ernest Carlsen 7-25-06
Ernest Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh 7/25/06
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

David J. Barber 7/25/06
David J. Barber Date
Attorney for State of Idaho

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

RIGHT NUMBER: 27-4004
NAME AND ADDRESS: CHERYL COLLINS
10439 S 1ST E
IDAHO FALLS ID 83401

DANA COLLINS
10439 S 1ST E
IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

3.43 AFY

PRIORITY DATE: 06/01/1916

POINT OF

DIVERSION:

T01S R37E S3 NWNW Lot 4 Within BINGHAM County

T01S R37E S3 NWNW Lot 4 Within BINGHAM County

2 POINTS OF DIVERSION LOCATED IN T1S, R37E, S3, NWNW.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.040 CFS

3.43 AFY

PLACE OF USE:

COMMERCIAL Within BINGHAM County

T01S R37E S03 Lot 4 NWNW

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

*Sm^e
Emc*

CERTIFICATE OF MAILING

I certify that on July 29, 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:

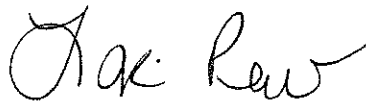
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

IDWR REPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

CHERYL COLLINS
DANA COLLINS
10439 S 1ST E
IDAHO FALLS, ID 83401

STATE OF IDAHO
Represented by:
DAVID J. BARBER
PO BOX 44449
BOISE, ID 83711-4449

SHOSHONE-BANNOCK TRIBES
Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202



Signature of person or attorney mailing form