

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. 27-25C
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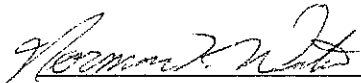
STIPULATION TO RESOLVE
OBJECTION

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.

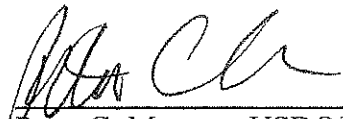
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The claimant and IDWR agree and stipulate that the elements of this water right should be described per the attached and that this stipulation resolves the claimant's objection to the Director's Report. **The claimant and IDWR acknowledge that the objections to the Director's Report filed by the Shoshone-Bannock Tribe and Bureau of Indian Affairs are still outstanding.** The claimant and IDWR have further indicated their concurrence by initialing the attached page.

CLAIMANT/OBJECTOR:

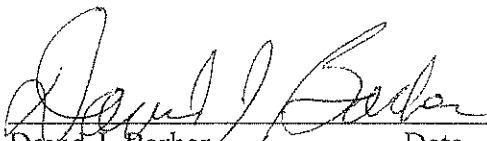
 7-26-06
Norman Winter Date

OBJECTORS:

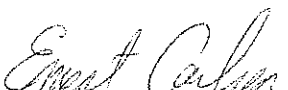
 7/26/06
Peter C. Monson, USDOJ Date
Attorney for BIA

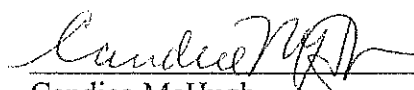
 7/26/2006
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

RESPONDENT:

 7/26/2006
David J. Barber Date
Attorney for State of Idaho

IDWR Concurrence:

 7-26-06
Ernest Carlsen Date
IDWR Adjudication Supervisor

 7/26/06
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

RIGHT NUMBER: 27-25C

NAME AND ADDRESS:

NORMAN WINTER
230 S 550 W NAGISTY RD
BLACKFOOT ID 83221

SOURCE: Source:
BLACKFOOT RIVER

Tributary:
SNAKE RIVER

QUANTITY: 0.179 CFS

~~0.160 CFS~~

*P can
JW
NKK*

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T03S R35E S8 Lot 8 SWSENE
Within BINGHAM County

SMC

N/B

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	<u>0.179 CFS</u>
		~~0.160 CFS~~

P can

*JW
NKK*

PLACE OF USE: IRRIGATION within BINGHAM County
T03S R35E S18 SENW 10.0

SMC

10 ACRES TOTAL

Right Nos. 27-25C and 27-37J are limited to the irrigation of a combined total of 10 acres in a single irrigation season.

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 - Decreed

Water is delivered through the Central Ditch.

tipulation to Resolve Objection

27-25C

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

2. Copies to:

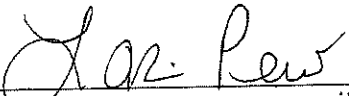
STATE OF IDAHO
Represented by:
DAVID J. BARBER
PO BOX 44449
BOISE, ID 83711-4449

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

NORMAN WINTER
230 S 500 NAGISTY RD
BLACKFOOT, ID 83221



Signature of person or attorney mailing the form