

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

COPY

In Re SRBA

Subcase No. 27-11205

Case No. 39576

STANDARD FORMS

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 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/Objector and IDWR agree and stipulate to the elements as changed in the attached document as indicated in underline/strikeout format.

~~The Claimant and IDWR acknowledge that there still remain outstanding objections by the Shoshone-Bannock Tribes and the United States Bureau of Indian Affairs and any responses thereto by the State of Idaho and other parties.~~

The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Karl Loveland July 25, 2006
The Loveland Family Trust Date

OBJECTORS:

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

Peter Monson USDOJ Date
Attorney for BIA

RESPONDENT:

State of Idaho

David J. Barber 7/25/06
David J. Barber Date

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

SF5

RIGHT NUMBER: 27-11205

NAME AND ADDRESS:

THE LOWLAND FAMILY TRUST
RT 5 BOX 680
POCAHELLO ID 83202

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.050 CFS 0.440 CFS
14.000 AFY 0.000 AFY

13,000 gallons

The quantity of water under this right for domestic use shall not exceed
per day.
~~THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.~~

PRIORITY DATE:

01/31/1939

POINT OF DIVERSION:

T04S R35E S29 SWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

Purpose of use Period of use: Quantity:

STOCKWATER	01/01 12/31	0.050 CFS 14.00 AFY 0.440 CFS
DOMESTIC	01/01 12/31	0.040 CFS 0.040 CFS

PLACE OF USE:

STOCKWATER within BINGHAM County
T04S R35E S29 SWSW
DOMESTIC within BINGHAM County
T04S R35E S29 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

water

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the
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 IS
NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER 2000 CATTLE PARCEL NO. RP 0635301

Amended Director's Report: 27-11205 1

Stipulation to Resolve

SFS

CERTIFICATE OF MAILING

I certify that on July 28, 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
PO Box 2707
Twin Falls, ID 83303-2707

Hand-Delivered

2. Copies to:

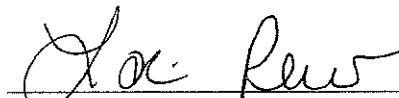
The Loveland Family Trust
Rt 6 Box 680
Pocatello, ID 83202

Shoshone-Bannock Tribes
Represented by Jeanette Wofley
202 N. Arthur
Pocatello, ID 83204

State of Idaho
Represented by David J. Barber
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 0333
Boise, ID 83724

IDWR Repository
PO Box 83720
Boise, ID 83720



Signature of person mailing the form