

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. 27-4152
	)	
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.

CLAIMANT/OBJECTOR:

City of Blackfoot



Christopher H. Meyer Date
Attorney for Claimant/Objector

IDWR Concurrence:

Ernest Carlsen 9-25-06
Ernest Carlsen Date
IDWR Adjudication Supervisor

Candice M. McHugh 9/25/06
Candice M. McHugh Date
Deputy Attorney General
Attorney for IDWR

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

OK

RIGHT NUMBER: 27-4152

NAME AND ADDRESS:

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT ID 83221

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

1.100 CFS
220.000 AFY

Sm^e

EMC

PRIORITY DATE:

04/01/1958

POINT OF DIVERSION:

T02S R35E S27 SESW
Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

1.100 CFS 220.00 AFY

PLACE OF USE:

IRRIGATION

within BINGHAM County

T02S R35E S27 Lot 5 SWNE 1.0

T02S R35E S27 Lot 9 SWNE 3.2

T02S R35E S27 Lot 17 NESW 9.6

T02S R35E S27 Lot 18 SESW 12.0

T02S R35E S27 Lot 6 NWSE 2.3

T02S R35E S27 Lot 17 NWSE 10.0

T02S R35E S34 Lot 11 NENW 15.0

T02S R35E S34 Lot 11 SWNW 1.9

55 ACRES TOTAL

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

CERTIFICATE OF MAILING

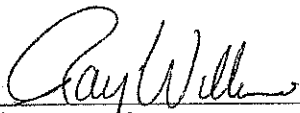
I certify that on September 26, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

CITY OF BLACKFOOT
Represented by:
CHRISTOPHER H. MEYER
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720

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



Signature of person or attorney mailing form