

OCT 27 2006

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

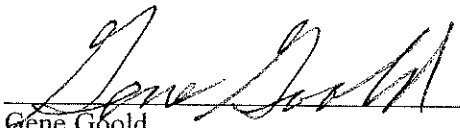
In Re SRBA	)	SUBCASE NO: 37-21933
	)	(FORMERLY 37-126)
Case No. 39576	)	STANDARD FORM 5
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. 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; and 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.

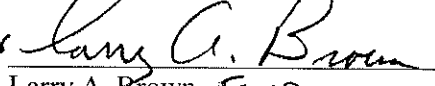
To resolve the objection, the whole of water right 37-126 was split into two water rights and renumbered as 37-21932 and 37-21933. The parties and IDWR agree and stipulate that water right 37-21933 should be described per the attached. The parties and IDWR further agree that this SF5 will resolve the objection filed by the BLM in subcase 37-126, and have indicated their concurrence by signing below and initialing the attached pages. This right and right 37-21932 now supersede right 37-126.

CLAIMANT:

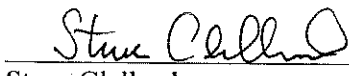

Gene Gould
Date 8-24-06

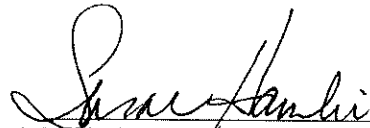
OBJECTOR:

United States on behalf of the
Bureau of Land Management


Larry A. Brown FWP
Attorney, U.S. Department of Justice
Environment and Natural Resources
Date 10/24/06

IDWR CONCURRENCE:


Steve Clelland
Senior Water Resource Agent
Date 8/17/06


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR
Date 8/16/06

08/14/2006

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

RIGHT NUMBER: 37-21933

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.210 CFS

PRIORITY DATE: 08/02/1897

POINT OF DIVERSION:

T03S R18E S9 SENESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.210 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T03S R18E S29 Lot 1 NENE	18.00	T03S R18E S29 Lot 2 SENE	6.60
T03S R18E S33 SWNE	0.30	T03S R18E S33 SENW	1.30

26.2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-21935 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 26.2 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

This right is a split from former right 37-126 .

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

CERTIFICATE OF SERVICE

I certify that on Oct. 20, 2006, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☒ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Gene Goold
117 Hankins Rd N.
Twin Falls, ID 83301

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form