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OCT 31 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

Case No. 39576

Subcase No. 21-7020

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(s):

E J Steinke Ranches Inc

E.J. Steinke Ranches Inc.
by Alan G. Steinke Pres.
E J Steinke
President
Date *10/26/06*

OBJECTOR(s):

United States of America acting through the
USDA Forest Service

David L. Negri
David L. Negri
Attorney for U S
Date

STANDARD FORM 5 -21-7020

IDWR Concurrence:

Ernie Carlsen 10-17-06
Ernie Carlsen Date
IDWR Manager

Nicholas Spencer 10-18-06
Nicholas Spencer (as to form) Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on Oct 30, 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:

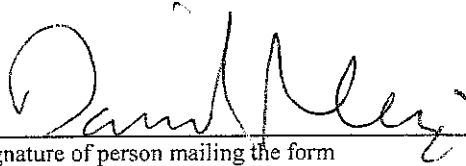
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

E J Steinke Ranches Inc
804 N Saturn Ave
Idaho Falls, ID 83402

US Dept of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form

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

RIGHT NUMBER: 21-7020

NAME AND ADDRESS:

E J STEINKE RANCHES INC
804 N SATURN AVE
IDAHO FALLS ID 83402

SOURCE:

Source:

Tributary:

GROUND WATER

QUANTITY:

1 300 CFS

181.100 AFY

~~394.500 AFY~~

PRIORITY DATE:

06/20/1972

POINT OF DIVERSION:

T16N R42E S24 SESW

Within FREMONT County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

05/01 10/31

1.300 CFS 181.10 AFY

~~1.300 CFS 394.50 AFY~~

EMC
NBS
H.F.S.
DN

PLACE OF USE:

IRRIGATION

within FREMONT County

T16N R42E S24 SWSW 6.8

T16N R42E S24 SESW 31.0

T16N R42E S25 NWNE 14.0

T16N R42E S25 NENW 8.8

~~T16N R42E S24 SWSW 11.0~~

~~T16N R42E S24 SESW 33.0~~

~~T16N R42E S24 SWSE 5.0~~

~~T16N R42E S25 NENE 12.0~~

~~T16N R42E S25 NWNE 35.0~~

~~T16N R42E S25 SWNE 6.0~~

~~T16N R42E S25 SENE 30.0~~

~~T16N R42E S25 NENW 13.0~~

~~T16N R42E S30 SWNW 6.0~~

60.6 ACRES TOTAL

~~153 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 - License