

**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. 21-12524
)
)
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)
)
)
)

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):

Island Park Properties LC

 11/16/06

Chad J. Bauer
authorized representative

Date

OBJECTOR(s):

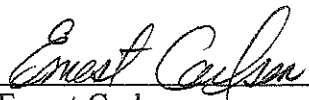
United States of America on behalf of the
Forest Service

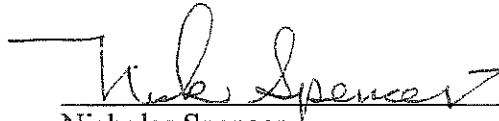
 11/16/06

David L. Negri
Department of Justice
Environment and Natural Resources Div.

Date

IDWR Concurrence:

 11-16-06
Ernest Carlsen Date
Water Resource Program Manager

 11-16-06
Nicholas Spencer Date
Deputy Attorney General

01/12/2006

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

RIGHT NUMBER: 21-12524

NAME AND ADDRESS: ISLAND PARK PROPERTIES LC
163 N 600 E
OREM UT 84057

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.250 CFS
3.00 AFY

PRIORITY DATE: 03/01/1948

POINT OF

DIVERSION: T14N R43E S35 SESENE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01- 12/31

0.250 CFS

3.00 AFY

PLACE OF USE: COMMERCIAL Within FREMONT County

T14N R43E S35

~~SESE~~ SENE

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

NBS

DW

SMC

CAB

CERTIFICATE OF MAILING

I certify that on 11/16, 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:

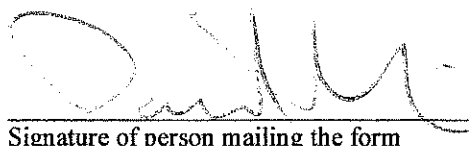
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDA - USFS
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Island Park Properties LC
163 N 600 E
Orem, UT 84057

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



Signature of person mailing the form