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DEC 22 2006

DEPARTMENT OF
WATER RESOURCES

DISTRICT CLERK
TWIN FALLS CO., IDAHO
FILED

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. 63-31998

Case 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 a 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):

KRISTI GEE

DAVID GEE

Dave Ziser 12/6/06
for Kristi GEE Date

Dave Ziser 12/6/06
Date

OBJECTOR:

EDWARDS FAMILY LLC

Dannette Monroe 12/6/06
Authorized representative Date

David Ziser 12/6/06
Attorney for Edwards Family LLC Date

IDWR Concurrence:

Wick Vmorc 12/6/06
Water Resource Agent Date

Wick Spencer 12-13-06
FOR Susan Hamlin Nygard Date
Deputy Attorney General

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

RIGHT NUMBER: 63-31998

NAME & ADDRESS: KRISTI GEE
4306 CATALPA DR
BOISE ID 83703

DAVID GEE
4306 CATAPALA DR
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

QUANTITY: 0.060 CFS
9.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-31997 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 9 AF.

PRIORITY DATE: 07/01/1953

POINT OF
DIVERSION: T04N R02E S29 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.060 CFS
9.00 AFY

PLACE OF USE:

IRRIGATION Within ADA County
T04N R02E S29 SWNE 2.00
2 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

This right is a split from former right 63-5287.

PARCEL NO. S0629131500.

CERTIFICATE OF MAILING

I certify that on December 19, 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:

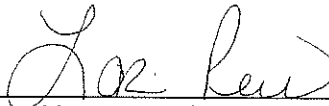
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Kristi Gee
David Gee
4306 Catalpa Drive
Boise, ID 83703

Dana Hofstetter
Hofstetter Law Office, LLC
608 West Franklin Street
Boise, ID 83702

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



Signature of person mailing form