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DEPARTMENT OF
WATER RESOURCES

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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. 63-31838
)
) Standard Form 5
Case No. 39576)
) STIPULATED ELEMENTS
) OF A WATER RIGHT
)

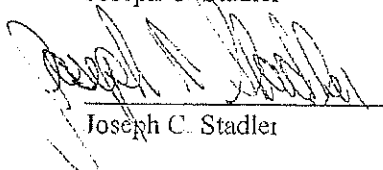
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine 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 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:

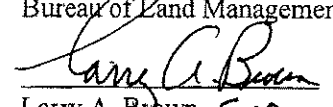
Joseph C. Stadler


Joseph C. Stadler

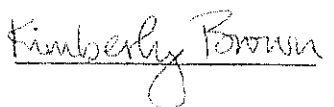
12-20-06
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management


Larry A. Brown *FWP* 1/11/07
Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:


Kimberly Brown

1-8-07
Date

IDWR CONCURRENCE:


Nicholas B. Spencer (as to form) 1-5-07
Date
Deputy Attorney General

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

RIGHT NUMBER: 63-31838

NAME AND ADDRESS: JOSEPH C STADLER
9700 BROOKSIDE LN
BOISE ID 83714

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.640 CFS
144.00 AFY

This right when combined with Right No 63-2090 shall provide no more than .02 cfs per acre.

Right Nos. 63-31837 and 63-31838 are limited to a total combined diversion rate of 3.52 cfs and to a total combined annual diversion volume of 792.0 AF.

PRIORITY DATE: 09/02/1964

POINT OF
DIVERSION: T05N R01E S25 NENW Within ADA County
T05N R01E S25 SWSWNW Within ADA County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 03/15 11/15 0.640 CFS
144.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County
T05N R01E S26 NESE 1.00
T05N R01E S26 NWSE 6.00
T05N R01E S26 SWSE 25.00
32 ACRES TOTAL

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
Property is also known as Lots 1 & 2, Blk 1, Rubble Subdivision.
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF MAILING

I certify that on 1/11/2002, ^{yes}~~2006~~ mailed the original and copies of this form, including all attachments, 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. Copy to:

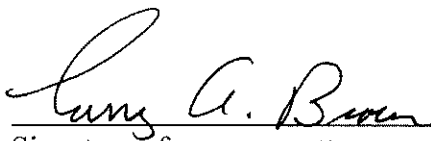
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Joseph C. Stadler
9700 Brookside Lane
Boise, Idaho 83714



Signature of person or attorney mailing the form