

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. 77-04037

Case No. 39576

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT

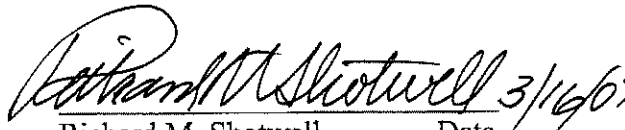
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

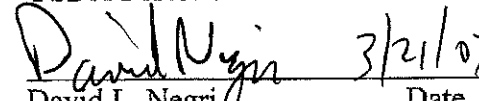
CLAIMANT:

Whitewater Alliance LLC

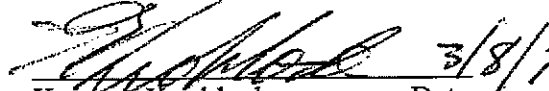

Richard M. Shotwell Date 3/16/07

OBJECTOR:

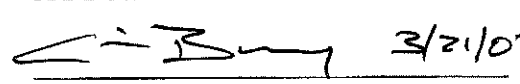
United States on behalf of the
USDA Forest Service


David L. Negri Date 3/21/07

IDWR CONCURRENCE:


Kenneth Knoblock Date 3/8/07

ATTORNEY FOR IDWR:


Chris M Bromley Date 3/21/07

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

Right Number: 77-04037

Name and Address: WHITEWATER ALLIANCE LLC
PO BOX 636
TWIN FALLS, ID 83303

Source: ~~LITTLE MALLARD CREEK~~ Tributary: SALMON RIVER
ROBERTSON CREEK *Kec RMS DN CB*

Quantity: .82 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

Priority Date: 02-01-1922

Diversion Point: T25N R09E S01 NWSW Within Idaho County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Irrigation	03-15 TO 10-31	.76 CFS
	Stockwater	01-01 TO 12-31	.02 CFS
	Domestic	01-01 TO 12-31	.04 CFS

Place of Use: Irrigation Within Idaho County

T25N R09E S01	NESW 3	NWSW 8
	SWSW 21	
S02	SESE 6	
	38 Acres Total	

Stockwater	Within Idaho County
T25N R09E S01	NESW NWSW
	SWSW
S02	SESE

Domestic	Within Idaho County
T25N R09E S01	NWSW SWSW

Other Provisions Necessary for Definition / Administration of this Water Right:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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.

Property is also known as Homestead Entry Survey No. 726.

Explanatory Material: Basis of Claim - Beneficial Use

CERTIFICATE OF MAILING

I certify that on March 21, 2007, I 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, ID 83303-2707

Hand Delivered

2. Copy to:

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

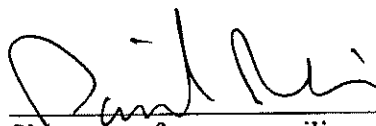
Hand Delivered

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Hand Delivered

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

Whitewater Alliance
P.O. Box 636
Twin Falls, ID 83303



Signature of person mailing documents