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2082878701;

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Page 3/8

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APR 26 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 23 2007	
By _____	Clerk
_____	Deputy Clerk

**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. 21-12884

Case No. 39576

STANDARD FORM 5

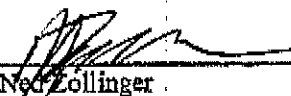
STIPULATED ELEMENTS OF A
WATER RIGHT

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 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)/OBJECTOR(s):
Zollinger Family Trust

 4/23/07
Ned Zollinger Date

STANDARD FORM 5 -- 21-12884

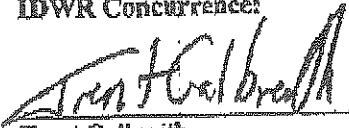
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Page 4/6

IDWR Concurrence:


Trent Galbraith
IDWR Water Resource Agent

Date

4-18-07


Nicholas B. Spencer
Deputy Attorney General

Date

4-23-07

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Page 8/8

CERTIFICATE OF MAILING

I certify that on April 23, 2007, 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

via fax - 4/23/07

2. Copies to:

Zollinger Family Trust
PO Box 276
Rexburg, ID 83440

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

Lore Pew
Signature of person mailing the form

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Page 5/6

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

Right Number: 21-12884

Name and Address:

ZOLLINGER FAMILY TRUST
PO BOX 276
REXBURG ID 83440

Source:

Source:

Tributary:

SAND CREEK

HENRY'S FORK

Quantity:

0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

Priority Date:

04/01/1880

Point of Diversion:

TOWN R41E S36 SE1/4E Begin of Stream Flow
Within FREMONT County

TOWN R41E S36 NW1/4E End of Stream Flow
Within FREMONT County

TH NBS

Purpose and
Period of Use:

Purpose of use

Period of use:

Quantity:

STOCKWATER01/01 12/310.020 CFS

Place of Use:

STOCKWATER

Within FREMONT County

TOWN R41E S36 NE1/4E

TOWN R41E S36 NW1/4E

TOWN R41E S36 SE1/4E

TOWN R41E S36 SW1/4E

TOWN R41E S36 NE1/4E

TOWN R41E S36 NW1/4E

OTHER PROVISIONS NECESSARY FOR DEFINITION OR 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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use

RFS: 21-12884

1