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MAY 04 2007

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. 63-161BX
)

Case No. 39576

) STANDARD FORM 5
)

) STIPULATED ELEMENTS OF A
) WATER RIGHT
)

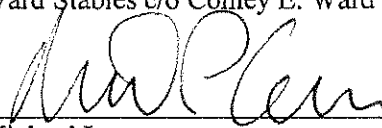
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

Ward Stables c/o Conley E. Ward



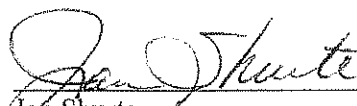
Michael Lawrence
Attorney

5/3/07

Date

STANDARD FORM 5 – 63-161BX

IDWR Concurrence:

 4-17-07

Jan Shurte Date
Adjudication Supervisor

 4-20-07

Nicholas B. Spencer Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on MAY 3, 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

2. Copies to:

Michael P Lawrence
Givens Pursley LLP
601 W Bannock
PO Box 2720
Boise, ID 83702

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



Signature of person mailing the form

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

RIGHT NUMBER: 63-161BX

NAME AND ADDRESS:

WARD STABLES
C/O CONLEY E WARD
PO BOX 2720
BOISE ID 83701

SOURCE:

Source:

Tributary:

BOISE RIVER

SNAKE RIVER

QUANTITY:

2.000 CFS

J NBS MPL

~~1.000 CFS~~

PRIORITY DATE:

05/01/1866

POINT OF DIVERSION:

T02N R03E S3 Lot 9 NWSW
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/01 11/15

1.940 CFS

~~0.940 CFS~~

STOCKWATER

01/01 12/31

0.020 CFS

DOMESTIC

01/01 12/31

0.040 CFS

J NBS MPL

Domestic use is for 4 homes

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

IRRIGATION

within ADA County

T02N R01E S16 SENW 8.0

T02N R01E S16 NESW 30.0

T02N R01E S16 NWSW 2.0

T02N R01E S16 SESW 7.0

STOCKWATER

within ADA County

T02N R01E S16 SENW

T02N R01E S16 NESW

T02N R01E S16 NWSW

T02N R01E S16 SESW

DOMESTIC

within ADA County

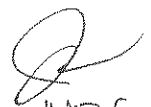
T02N R01E S16 SENW

T02N R01E S16 NESW

T02N R01E S16 NWSW

T02N R01E S16-SESW

47 ACRES TOTAL


NBS
MPL

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 - Decreed

Stockwater use is for 20 head horses.
Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.
This right is also designated as Right No. 30 in the Boise River Stewart Decree and Boise River Water Distribution Report.
This right is a split from former right 63-161BL.
This right is delivered via the New York Canal.