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MAY 24 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. 77-07202
	)	
Case 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT
	)	

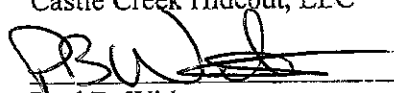
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

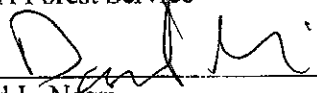
CLAIMANT:

Castle Creek Hideout, LLC

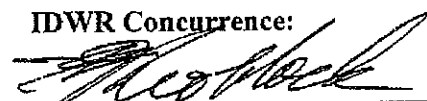
 5/18/07
Paul B. Withers Date
Attorney for Castle Creek, LLC

OBJECTOR:

USDA Forest Service

 5/22/07
David L. Negri Date
Attorney for the United States

IDWR Concurrence:

 5/16/07
Kenneth Knoblock Date

 5/22/07
Christopher M. Bromley Date
Deputy Attorney General

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

Right Number: 77-07202

Name and Address: CASTLE CREEK HIDEOUT, LLC
BOX 390
CHALLIS, ID 83226

Source: CASTLE CREEK Tributary: CAMAS CREEK

Quantity: .85 CFS
614.30 AFY

Priority Date: 08-17-1983

The rights for the use of water confirmed in this decree shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

Diversion Point: ~~T17N R17E S01~~ ~~SWSW~~ Within Lemhi County
 ~~S02~~ ~~SESE~~
 ~~S11 LOT 1~~ ~~(NENE)~~
 ~~S12 LOT 1~~ ~~(NNWN)~~
 T17N R17E S12 NENNW

~~The diversion system is a single point of diversion located on or near section corner lines.~~

Purpose and			
Period of Use:	Purpose of Use	Period of Use	Quantity
	Power	01-01 TO 12-31	.85 CFS
			614.30 AFY

Place of Use: Power Within Lemhi County
T17N R17E S11 SWNE

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

Place of use is known as H.E.S. #325.

The diversion and use of water for hydropower purposes under this decree is subject to review by the Director on or after June 1, 2004. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

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 77-7203 is also diverted through the point of diversion described above.

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

Use of water under this right shall be non-consumptive.

CERTIFICATE OF MAILING

I certify that on May 22, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

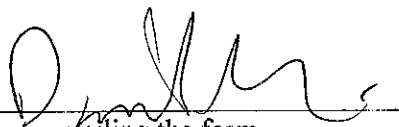
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Castle Creek Hideout, LLC
C/O Paul B. Withers
1301 Main Street, Suite 6
Salmon, ID 83467

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

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form