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OCT 29 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

Case No. 39576

) Subcase No. 55-2035
)
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)
)
)
)
)

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.

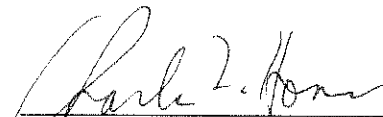
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)

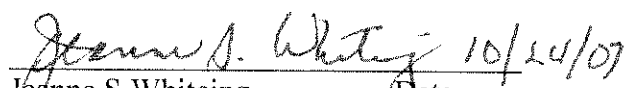
Riddle Ranches Inc

OBJECTOR(s):

Shoshone-Paiute Tribes of the USA


Charles L. Honsinger
Attorney

10/26/07
Date

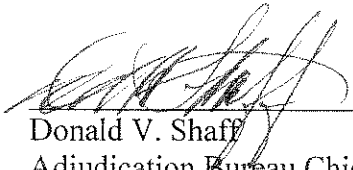

Jeanne S Whiteing
Attorney

10/24/07
Date

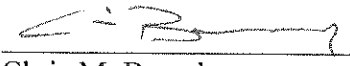
STANDARD FORM 5 – 55-2035

CPY

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief

10/12/07
Date


Chris M. Bromley
Deputy Attorney General
Attorney for IDWR

10/16/07
Date

CERTIFICATE OF MAILING

I certify that on 10/26, 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:

Riddle Ranches Inc
Represented by:
Charles L. Honsinger
455 S Third St
PO Box 2773
Boise ID 83701-2773

Shoshone-Paiute Tribes
Represented by
Jeanette Wolfley, Special Counsel
Shoshone-Bannock Tribe
202 N Arthur
Pocatello ID 83202

courtesy copy

Shoshone-Paiute Tribes
Jeanne S Whiteing
Whiteing & Smith
1136 Pearl Street, Suite 203
Boulder, CO 80302

U.S. Dept. of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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



Signature of person mailing the form

10/11/2007

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

RIGHT NUMBER: 55-2035

NAME AND ADDRESS: RIDDLE RANCHES INC
RIDDLE ID 83625SOURCE: SHOOFLY CREEK TRIBUTARY: BLUE CREEK
POINT OF INJECTION INTO AND POINTS OF REDIVERSION FROM BLUE CREEK.

QUANTITY: 3.000 CFS

PRIORITY DATE: 10/21/1912

POINT OF
DIVERSION:

T13S R02E S31 NENESW Within OWYHEE County
T14S R01E S1 NENE Within OWYHEE County
T14S R01E S1 SESE Within OWYHEE County
T14S R02E S15 NWSE Within OWYHEE County
T14S R02E S23 SENE Injection Within OWYHEE County
T14S R02E S26 NENE Rediversion Within OWYHEE County
T14S R02E S26 SWSE Rediversion Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/31	3.000 CFS
PLACE OF USE: IRRIGATION in OWYHEE County		
T14S R01E S01 NESE 17.00	T14S R01E S01 SESE	25.00
T14S R01E S12 NENE 34.00	T14S R01E S12 SENE	17.00
T14S R02E S06 Lot 5 SWNW 11.00	T14S R02E S06 Lot 6 NWSW	41.00
T14S R02E S06 Lot 7 SWSW 32.00	T14S R02E S07 Lot 1 NWNW	18.00
T14S R02E S14 NWSW 20.00	T14S R02E S14 SWSW	20.00
T14S R02E S23 SWNE 28.00	T14S R02E S23 SENE	40.00
T14S R02E S23 NENW 13.00	T14S R02E S23 NWNW	29.00
T14S R02E S23 SWNW 33.00	T14S R02E S23 SENW	36.00
T14S R02E S23 NESE 40.00	T14S R02E S23 NWSE	40.00
T14S R02E S23 SWSE 40.00	T14S R02E S23 SESE	38.00
T14S R02E S26 NENE 29.00	T14S R02E S26 NWNE	40.00
T14S R02E S26 SWNE 40.00	T14S R02E S26 SENE	24.00
T14S R02E S26 NENW ~~15~~ 4.50	T14S R02E S26 SENW	~~24~~ 16.85
T14S R02E S26 NESW ~~28~~ 26.38	T14S R02E S26 SESW	32.00
T14S R02E S26 NESE 34.00	T14S R02E S26 NWSE	40.00
T14S R02E S26 SWSE 40.00	T14S R02E S35 NWNE	40.00
T14S R02E S35 SWNE 40.00	T14S R02E S35 NENW	34.00
T14S R02E S35 SENW 34.00	T14S R02E S35 NESW	40.00
T14S R02E S35 SESW 40.00	T14S R02E S35 NWSE	40.00
T14S R02E S35 SWSE 25.00		

~~1211~~ 1191.73 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3676~~ 3512.73 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02009, 55-02016, 55-02039, 55-02064, 55-02174, 55-02211, 55-02435, 55-07002, 55-07009 & 55-13480 - THESE ARE BYBEE RESERVOIR, SHOOLLY RESERVOIR, LITTLE BLUE & BLUE CREEK RIGHTS.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

~~IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

SOURCE AKA BYBEE RESERVOIR.

sf
CB
gm
(2)X