

RECEIVED
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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. 63-7539
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

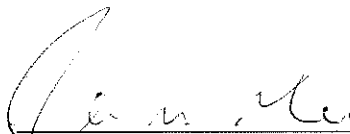
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

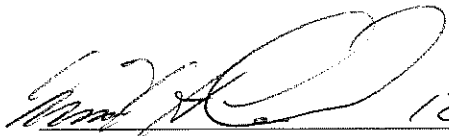
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

Sara Jane Smith

 1/8/2008
John M. Marshall Date
Attorney for Claimant/Objector

IDWR Concurrence:

 12/12/07

Michael Ciscell Date
Senior GIS Analyst

 12-11-07

Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-7539

NAME AND ADDRESS: SARA JANE SMITH
7511 WARREN SPUR RD
MELBA ID 83641-5231

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.400 CFS
40.000 AFY

PRIORITY DATE: 02/27/1972

POINT OF DIVERSION:

T01S R02W S14 SWSE Within CANYON County

~~T01S R02W S14 SESW Within CANYON County~~

T01S R02W S23 NENW Within CANYON County

NBS
WAC
JMM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

1/01 12/31

0.400 CFS
40.00 AFY

PLACE OF USE: STOCKWATER in CANYON County

T01S R02W S14

SESW

T01S R02W S23

NENW

T01S R02W S23

NWNW

T01S R02W S23

SESW

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 - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Stockwater use is for 3000 stock.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

CERTIFICATE OF MAILING

I certify that on January 8, 2008, 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:

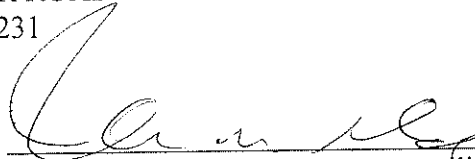
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, ID 83303-2707

2. Copies to:

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

SARA JANE SMITH
7511 WARREN SPUR ROAD
MELBA, ID 83641-5231



Signature of person or attorney mailing the form