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DEPARTMENT OF
WATER RESOURCES

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JAN 11 2008
OFFICE OF THE
ATTORNEY GENERAL

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. 02-7022A
	)	
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.

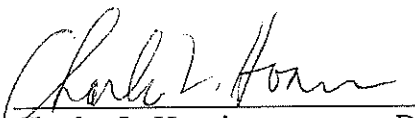
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

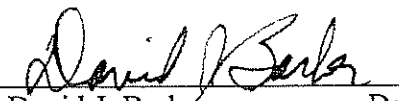
Blanksma Land & Storage, LLC

OBJECTOR:

State of Idaho
Department of Lands

 1/8/08

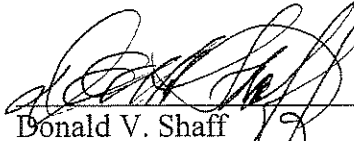
Charles L. Honsinger Date
Attorney for Claimant

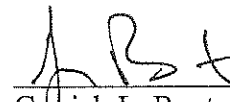
 1/14/2008

David J. Barber Date
Attorney for Objector

MAIL 98271

IDWR Concurrence:

 12/20/07
Donald V. Shaff Date
Adjudication Bureau Chief

 12/19/07
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

12/19/2007

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

RIGHT NUMBER: 2-7022A

NAME AND ADDRESS: BLANKSMA LAND & STORAGE LLC
PO BOX 106
HAMMETT ID 83627

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.270 CFS
319.00 AFY

~~Rights 2-2267, 2-7022A, 2-2022A, 2-7019C, 2-7102A and 2-7124 when combined shall not exceed the irrigation of 918 acres within the place of use described above.~~

PRIORITY DATE: 10/18/1968

POINT OF
DIVERSION:

T05S R07E S31 NWSE Lot 7 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.270 CFS 319.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R07E S05	NESW	40.00	T06S R07E S05	NWSW	40.00
T06S R07E S05	SWSW	40.00	T06S R07E S05	SESW	40.00
T06S R07E S06	SWNE	40.00	T06S R07E S06	SENE	40.00
T06S R07E S06	SESW	40.00	T06S R07E S06	NESE	40.00
T06S R07E S06	NWSE	40.00	T06S R07E S06	SWSE	40.00
T06S R07E S06	SESE	40.00	T06S R07E S07	NENE	40.00
T06S R07E S07	NWNE	40.00	T06S R07E S07	SWNE	40.00
T06S R07E S07	SENE	40.00	T06S R07E S07	NENW	40.00
T06S R07E S07	NESE	40.00	T06S R07E S07	SESE	40.00
T06S R07E S08	NWNE	40.00	T06S R07E S08	SWNE	40.00
T06S R07E S08	NENW	40.00	T06S R07E S08	NWNW	40.00
T06S R07E S08	SWNW	40.00	T06S R07E S08	SENW	40.00
T06S R07E S08	NESW	40.00	T06S R07E S08	SWSW	40.00
T06S R07E S08	SESW	40.00	T06S R07E S08	NWSE	40.00
T06S R07E S08	SWSE	40.00	T06S R07E S08	SESE	40.00
T06S R07E S09	NENE	40.00	T06S R07E S09	NWNE	40.00
T06S R07E S09	SWNE	40.00	T06S R07E S09	SENE	40.00
~~T06S R07E S16~~	~~NWNW~~	~~40.00~~	T06S R07E S17	NENE	40.00
T06S R07E S17	NWNE	40.00			

1480 1440 ACRES TOTAL

This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.

Rights 2-2267, 2-7022A, 2-2023A, 2-7019C, 2-7102A and 2-7124 when combined shall not exceed the irrigation of 918 acres within the place of use described above.

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Rights 2-2267, 2-7023A, 2-7019C, 2-7102A and 2-7124 are also diverted through the point of diversion described above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval. Approved Dec. 16, 2003.

This right does not grant any right-of-way or easement across the land of another.

15
C.2X

D/B

CERTIFICATE OF MAILING

I certify that on 14th day of January, 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, IDAHO 83303-2707

2. Copies to:

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

~~STATE OF IDAHO DEPT OF LANDS~~

~~Represented by:
STATE OF IDAHO
JRW BUILDING, SECOND FLOOR
700 W STATE ST, PO BOX 44449
BOISE, ID 83711-4449~~

Not Applicable

BLANKSMA LAND & STORAGE LLC

Represented by:
CHARLES L. HONSINGER
455 SOUTH THIRD ST.
P.O. BOX 2773
BOISE, ID 83702

BLANKSMA LAND & STORAGE LLC

P.O. BOX 106
HAMMETT, ID 83627

David J. Barber
Signature of person or attorney mailing the form