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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.: 77-2021

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

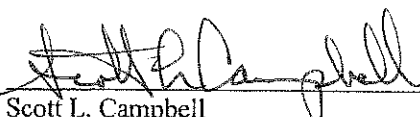
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

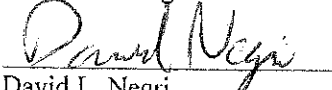
CLAIMANT:

Silver King LTD


Scott L. Campbell Date 1/7/08
Attorney for the Claimant

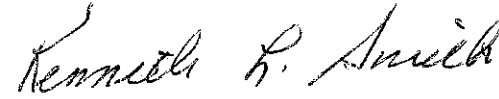
OBJECTORS:

USDA Forest Service and USDI Bureau
of Land Management

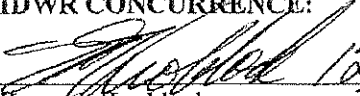

David L. Negri Date 1/24/08
Attorney for the United States

OBJECTOR:

Kenneth L. Smith

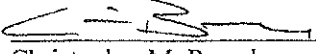

Kenneth L. Smith Date 1-6-08

IDWR CONCURRENCE:


Kenneth Knoblock
Water Right Supervisor

Date

IDWR CONCURRENCE:


Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

Date

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

RIGHT NUMBER: 77-2021

NAME AND ADDRESS: SILVER KING LTD
2560-S COLE RD
BOISE ID 83729

5028 W BAYWOOD
BOISE ID 83703

SOURCE: SLAUGHTER CREEK

TRIBUTARY: WARREN CREEK

QUANTITY: 0.090 2.000 CFS

PRIORITY DATE: 07/03/1913

POINT OF DIVERSION:

T22N R06E S12 NESENE Lot 4 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.060 CFS
MINING	01/01 12/31	0.090 1.940 CFS

PLACE OF USE: MINING in IDAHO County

T22N R06E S11 SENE

T22N R06E S12 Lot 4 SWNW

T22N R06E S12 Lot 4 SESE

DOMESTIC same as MINING

Point of Diversion and Place of Use are on private land within Slaughter Creek Placer and Slaughter Creek Placer Extension (Mineral Survey 1807), and Imperial (Mineral Survey 1891).

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

CERTIFICATE OF SERVICE

I certify that on Jan. 24, 2008, 2007, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Kenneth L. Smith
5028 W. Baywood
Boise, ID 83703

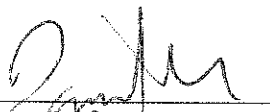
☐ Overnight Mail
☐ Regular Mail
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☐ Facsimile

Scott L. Campbell
Moffatt Thomas
101 S. Capitol Blvd., 10 Floor
P.O. Box 829
Boise, ID 83701

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form