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**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. 27-12125

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.

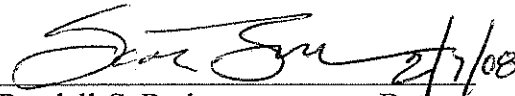
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Chesterfield Land & Livestock Association

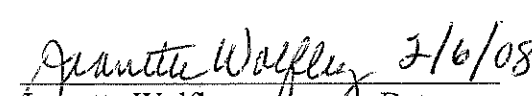
OBJECTOR:

Shoshone-Bannock Tribes


Randall C. Budge

Date

Attorney for Claimant


Jeanette Wolfley

Date

Attorney for Objector

RESPONDENT:

State of Idaho

David J. Barber 2/13/2008
David J. Barber Date
Attorney for Respondent

IDWR Concurrence:

Cindy E. Bird 2/4/08
Cindy Bird Date
Senior Water Resource Agent

Andrea L. Courtney 1/31/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

01/25/2008

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

RIGHT NUMBER: 27-12125

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK ASSOCIATION
C/O CAMERON WILLIAMS
1976 TELFORD RD
GRACE ID 83241-5045

SOURCE: SPRING

TRIBUTARY: WARBONNET CREEK

QUANTITY: 0.040 CFS
11.35 AFY

The rights listed below are limited to a total combined annual diversion volume for stockwater of 11.35 af. Combined Right Nos.: 27-11245, 27-11988, 27-11989, 27-12117, 27-12119, 27-12120, 27-12122, 27-12123, 27-12124 and 27-12125.

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/18/1900

POINT OF
DIVERSION:

T05S R39E S8 SESENW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	05/01 11/01	0.020 CFS
STOCKWATER	05/01 11/01	0.020 CFS
		<u>11.35 AFY</u>

PLACE OF USE: STOCKWATER in CARIBOU County

T05S R39E S04 NWSW

DOMESTIC in CARIBOU County

T05S R39E S04 NWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 1000 cow-calf pairs.

CERTIFICATE OF MAILING

I certify that on Feb. 14th, 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

SHOSHONE-BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N. ARTHUR
POCATELLO, ID 83202

CHESTERFIELD LAND & LIVESTOCK ASSN.

Represented by:
RANDALL C. BUDGE
201 E. CENTER, STE. A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

IDWR REPOSITORY

P.O. BOX 83720
BOISE, ID 83720-0098

Deserae Kramer

Signature of person or attorney mailing form