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FEB 25 2008

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. 01-10460
	)	
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(s):

Kathy Poole 2-18-08
Kathy Poole Date

Corey Poole 2-18-08
Corey Poole Date

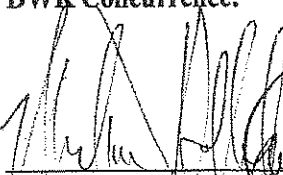
Roger Poole 02-18-08
Roger Poole Date

OBJECTOR:

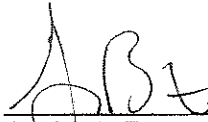
United States of America
Bureau of Land Management



Larry A. Brown, USDOJ Date 02/21/2008
Attorney for BLM
JACOB T. HASEMAN, USDOJ
Att. for BLM
DWR Concurrence:



Michael Holliday Date 1/16/08
Senior Water Resource Agent



Garick L. Baxter Date 1/16/08
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-10460

NAME AND ADDRESS: KAIHY POOLE
775 N 3200 E
MENAN ID 83434

ROGER POOLE
775 N 3200 E
MENAN ID 83434

COREY POOLE
3028 E 776 N
MENAN ID 83434

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 12.020 CFS

PRIORITY DATE: 06/01/1892

POINT OF
DIVERSION:

T05N R38E S20 SWNEW Lot 3 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	12.020 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T05N R37E S22	SESW	3.20	T05N R37E S22	SWSE	2.40
105N R37E S22 Lot 5	SWSE	18.00	105N R37E S22 Lot 6	SESE	10.00
105N R37E S26	SWNE	40.00	105N R37E S26	SENE	34.00
T05N R37E S26	NNNW	17.00	105N R37E S26 Lot 1	SWNW	6.90
105N R37E S26 Lot 2	SENW	35.00	T05N R37E S26 Lot 5	SENW	0.20
105N R37E S27 Lot 1	NWNE	38.00	T05N R37E S27	SENE	5.20
T05N R37E S27 Lot 7	SENE	16.00	T05N R37E S27	NENW	2.90
105N R37E S27 Lot 2	NENW	26.00	105N R37E S27 Lot 3	NNNW	17.00
105N R37E S27	SWNW	3.00	105N R37E S27 Lot 4	SWNW	38.00
T05N R37E S27	SENW	40.00	T05N R37E S27	NESW	11.00
105N R37E S27 Lot 5	NESW	27.00	105N R37E S27	NWSW	29.00
105N R37E S27 Lot 5	NWSW	2.10	105N R37E S27	SESW	6.50
T05N R37E S27	NESE	0.30	T05N R37E S28	NENE	2.00
105N R37E S28	SENE	10.00	105N R37E S28	NESE	1.90

442.6 ACRES TOTAL

Place of use does not include federal public lands.

This right is limited to the irrigation of 269 acres within the place of use described above in a single irrigation season.

Use of the rights listed below is limited to the irrigation of a combined total of 442.6 acres in a single irrigation season. Combined Right Nos.: 25-245, 25-11218, 25-11219, 1-10457, and 1-10460

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 - Decreed

This right is a split from former right 25-246.

Use of this right is combined with water from Long Island Irrigation Co.

Water is delivered through Bear Trap Canal.

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

FWP
MWH
JB
C.P.
KP
Rud
(JN)

CERTIFICATE OF MAILING

I certify that on FEBRUARY 21ND, 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

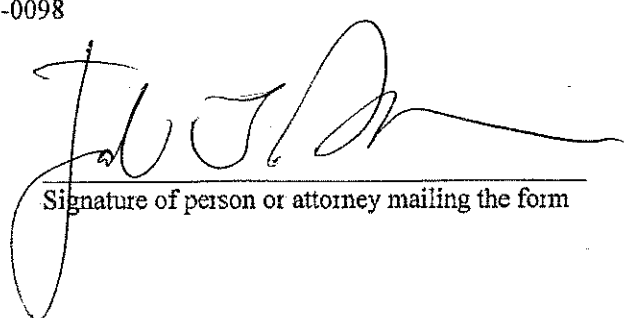
2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

COREY POOLE
3028 E 776 N
MENAN, ID 83434

KATHY POOLE
ROGER POOLE
775 N 3200 E
MENAN, ID 83434

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



Signature of person or attorney mailing the form