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MAR 21 2008

DEPARTMENT OF
WATER RESOURCES

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MAR 14 2008
9:00 A.M.

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.: 37-857
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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.

CLAIMANTS:

Donald T. Bray 12 Mar 08
Donald T. Bray Date

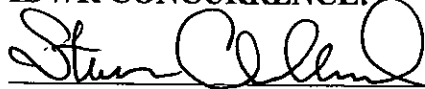
Lye Lake Ranch 12 Mar 08
For Lye Lake Ranch Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 03/10/2008
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

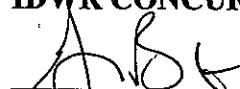


Steve Clelland

Sr. Water Resource Agent

Date

IDWR CONCURRENCE:



3/5/08

Garick L. Baxter

Date

Deputy Attorney General

Attorney for IDWR

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

RIGHT NUMBER: 37-857

NAME AND ADDRESS: DONALD T BRAY
PO BOX 194
BLISS ID 83314-0094

LYE LAKE RANCH
PO BOX 94
BLISS ID 83314-0094

SOURCE: DRY CREEK

Tributary: BIG WOOD RIVER

QUANTITY: 8.000 CFS
190.000 AFY

All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.

PRIORITY DATE: 02/01/1917

POINT OF DIVERSION:

T04S R14E S6 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION STORAGE	01/01 12/31	190.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	190.00 AFY
DIVERSION TO STORAGE	01/01 12/31	8.000 CFS

PLACE OF USE: IRRIGATION STORAGE within GOODING County

T04S R13E S25 NWSW	<u>T04S R13E S25 SWSW</u>
T04S R13E S25 Lot 1 SWSW	<u>T04S R13E S26 SENE</u>
<u>T04S R13E S26 NESE</u>	<u>T04S R13E S26 SESE</u>
T04S R13E S26 Lot 7 SESE	<u>T04S R13E S35 NENE</u>
T04S R13E S35 Lot 1 NENE	T04S R13E S35 Lot 4 SWNE
T04S R13E S35 Lot 5 SENE	<u>T04S R13E S36 NWNW</u>
T04S R13E S36 Lot 1 NWNW	T04S R13E S36 Lot 2 SWNW

IRRIGATION FROM STORAGE within GOODING County

<u>T04S R13E S33 NWNE 7.5</u>	<u>T04S R13E S33 SWNE 5.0</u>
<u>T04S R13E S33 SWNE 39.0</u>	<u>T04S R13E S33 SENE 10.0</u>
<u>T04S R13E S33 SENE 35.0</u>	<u>T04S R13E S33 NESE 14.0</u>
<u>T04S R13E S33 NWSE 5.0</u>	

~~34 ACRES TOTAL~~

81.5 ACRES TOTAL

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

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

CERTIFICATE OF SERVICE

I certify that on Mar. 17, 2008, 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

Donald T. Bray
P.O. Box 194
Bliss, ID 83314-0094

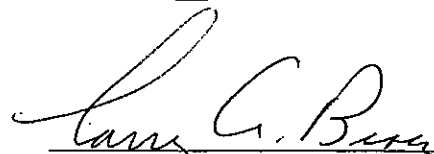
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Lye Lake Ranch
P.O. Box 94
Bliss ID 83314

☐ 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