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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. <u>73-10520</u> |
|                | ) |                             |
|                | ) | Standard Form 5             |
| Case No. 39576 | ) |                             |
|                | ) | 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 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 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 /OBJECTOR:

United States on behalf of the  
Bureau of Land Management

*[Signature]* 03/23/2008  
Larry A. Brown *MB* Date  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Div.

IDWR CONCURRENCE:

*[Signature]* 3/25/08  
Nathaniel Arave Date  
Senior Water Resource Agent

*[Signature]* 3/25/08  
Christopher M. Bromley Date  
Deputy Attorney General  
Attorney for IDWR

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

RIGHT NUMBER: 73-10520

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657

SOURCE: ROCK SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

~~The rights listed below are limited to a total combined diversion rate of .02 cfs and shall not exceed 13,000 gallons per day. Combined Right Nos.: 73-2222, 73-10520.~~

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

PRIORITY DATE: 06/28/1934

\* 4/17/1926 claimed under Federal Reserved Water Right.\*  
This water right is also claimed based on federal law with an April 17, 1926, date of priority pursuant to an executive order signed the same date and known as Public Water Reserve 107.

\* 4/07/1917 claimed under Federal Reserved Water Right.\*  
This water right is also claimed based on federal law with an April 7, 1917, date of priority pursuant to an executive order signed the same date and known as Public Water Reserve 47

POINT OF  
DIVERSION:

T12N R22E S24

SESWNE

Within CUSTER County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
01/01 12/31

QUANTITY  
0.020 CFS

PLACE OF USE:

STOCKWATER in CUSTER County  
T12N R22E S24

SWNE

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.

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

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use  
Right No. 73-2222 is also diverted through point of diversion described above.

BLM RECORD ID = 7304582426

## CERTIFICATE OF MAILING

I certify that on MARCH 28<sup>TH</sup>, 2008, I mailed the original and copies of this form, including all attachments, 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

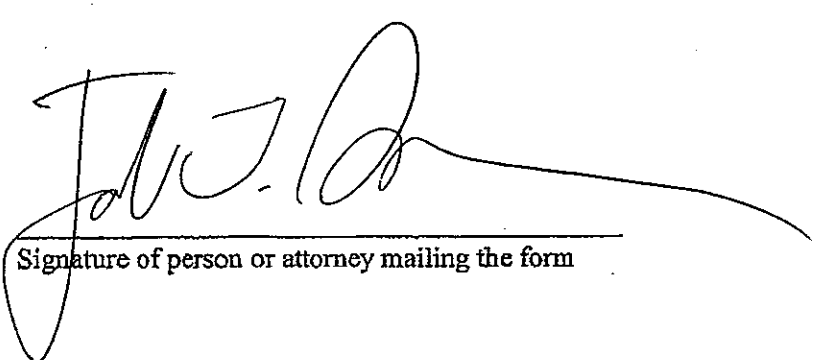
2. Copy to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P. O. Box 83720  
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice  
Environment and Natural Resources Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724



Signature of person or attorney mailing the form