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APR 15 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. 73-07055
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

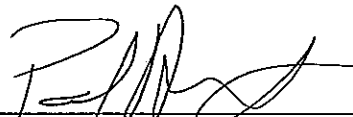
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

Idaho Power Company

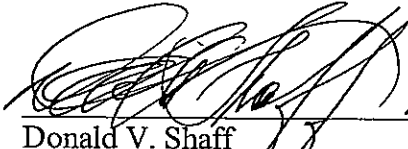


Paul Arrington, Attorney

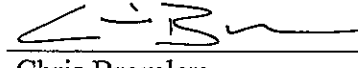
4/11/08

Date

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief

2/23/08
Date


Chris Bromley
Deputy Attorney General
Attorney for IDWR

2/22/08
Date

CERTIFICATE OF MAILING

I certify that on April 10, 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:

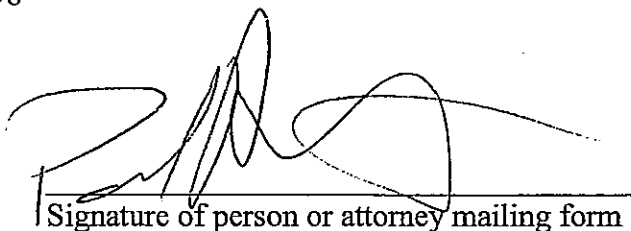
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

IDAHO POWER CO

Represented by:
BARKER ROSHOLT & SIMPSON LLP
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

IDAHO POWER CO
PO BOX 70
BOISE, ID 83707

DIRECTOR OF IDWR ✓
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing form

02/19/2008

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

RIGHT NUMBER: 73-7055

NAME AND ADDRESS: IDAHO POWER CO
PO BOX 70
BOISE ID 83707

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 40.000 CFS
7,207.00 AFY

Rights 73-07006 and 73-07055 when combined shall not exceed a total annual diversion volume of 28,908 af.

PRIORITY DATE: 04/28/1981

POINT OF
DIVERSION:

T16N R20E S36 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

12/01 02/01~~29~~

40.000 CFS
7,207.00 AFY

PLACE OF USE: FISH PROPAGATION in LEMHI County

T16N R20E S25 SWSE

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

Use of water under this water right will be regulated by the watermaster of State Water District No. 73.

Water used under this right if discharged into a natural channel shall meet Idaho Water Quality Standards.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

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.

Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right 73-07006 is also diverted through the point(s) of diversion described above.