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MAY 28 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

Case No. 39576

Subcase No. 75-04366

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.

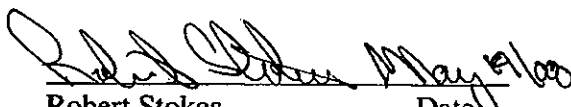
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

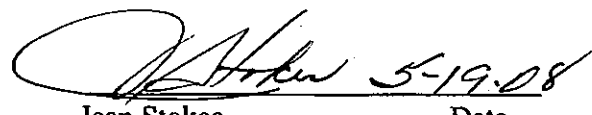
Robert Stokes

CLAIMANT:

Jean Stokes


Robert Stokes
Pro Se

Date


Jean Stokes
Pro Se

Date

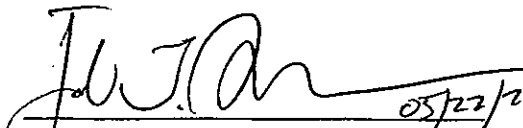
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MAY 21 2008

9:00 A.M.

OBJECTOR

United States of America

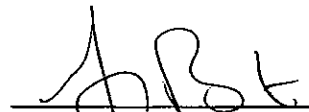


Larry Brown, Attorney FWP Date
Bureau of Land Management

IDWR Concurrence:



Nathaniel Arave Date
Senior Water Resource Agent



Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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9:00 A.M.

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

RIGHT NUMBER: 75-4366

NAME AND ADDRESS: ROBERT HEBER STOKES
153 DIAMOND CRK RD
SALMON ID 83467

JEAN STOKES
153 DIAMOND CRK RD
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.880 CFS

Right Nos. 75-4366 and 75-4367 are limited to a total combined diversion rate of 0.02 cfs/acre.

PRIORITY DATE: 04/01/1886

POINT OF
DIVERSION: T22N R22E S18 NWNE Lot 5 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	4/01 11/01	1.880 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S07 Lot 9 NESW	5.00	T22N R22E S07 SESW 28.00
	T22N R22E S07 Lot 11 SWSE	20.00	T22N R22E S18 Lot 5 NWNE 31.00
	T22N R22E S18 NENW	10.00	

94 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 75-4366 and 75-4367 are limited to the irrigation of a combined total of 94 acres in a single irrigation season.

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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on MAY 22ND, 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:

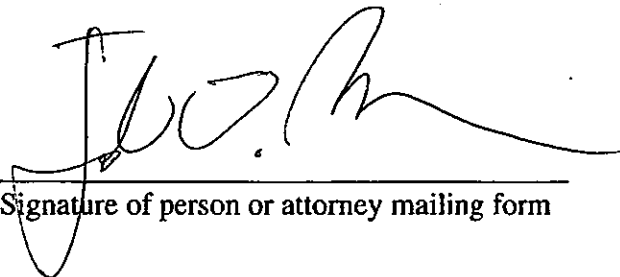
1. Original to:

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

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

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

JEAN STOKES
ROBERT HEBER STOKES
153 DIAMOND CRK RD
SALMON, ID 83467



Signature of person or attorney mailing form

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9:30AM.