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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. 75-04367

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.

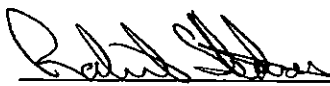
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Robert Stokes

CLAIMANT:

Jean Stokes

 May 2008
Robert Stokes Date

Pro Se

 5-19-08
Jean Stokes Date

Pro Se

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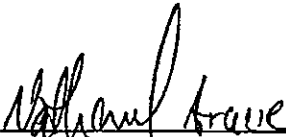
9:00 A.M.

OBJECTOR

United States of America


Date 05/22/2008
Larry Brown, Attorney for
Bureau of Land Management

IDWR Concurrence:


Date 4/18/08
Nathaniel Arave
Senior Water Resource Agent


Date 5/13/08
Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 75-4367
NAME AND ADDRESS: ROBERT HEBER STOKES
153 DIAMOND CRK RD
SALMON ID 83467

JEAN STOKES
153 DIAMOND CRK RD
SALMON ID 83467

SOURCE: SPRING TRIBUTARY: SINKS
QUANTITY: 0.400 CFS

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

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

PRIORITY DATE: 06/01/1912

POINT OF DIVERSION: T22N R22E S18 SWNENW Within LEMHI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 11/01	0.400 CFS
STOCKWATER	1/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S07 Lot 9 NESW	0.50	T22N R22E S07	SESW	17.00
T22N R22E S18 Lot 5 NWNE	4.50	T22N R22E S18	NENW	10.00

STOCKWATER in LEMHI County

T22N R22E S07 Lot 9 NESW

32 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:

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

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 - 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:

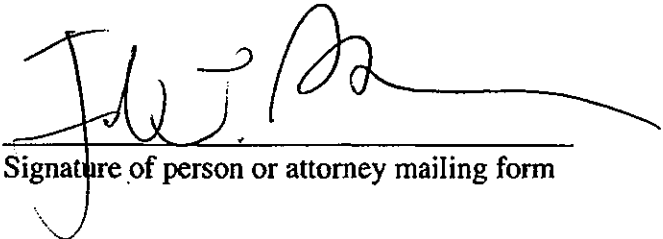
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

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