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DEPARTMENT OF
WATER RESOURCES

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JUL 21 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	)	Subcase No. <u>78-02063</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.

CLAIMANTS:

Thomas Hubbard
Doris Hubbard

Thomas Hubbard 7-18-08
Thomas Hubbard Date

Doris Hubbard 7-18-08
Doris Hubbard Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 7/29/08
David L. Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR Concurrence:

Carter Fritschle 7-22-08
Carter Fritschle Date
Section Manager, Adjudication Bureau

Andrea Courtney 7/10/08
Andrea Courtney Date
Deputy Attorney General
Attorney for IDWR

07/07/2008

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

RIGHT NUMBER: 78-2063

NAME AND ADDRESS: THOMAS H HUBBARD
PO BOX 331
NEW MEADOWS ID 83654

DORIS HUBBARD
PO BOX 331
NEW MEADOWS ID 83654

SOURCE: SPRING TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.020 CFS
0.570 AFY

PRIORITY DATE: 02/19/1965

POINT OF DIVERSION:

T21N R01E S11 SWSESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.020 CFS
0.57 AFY

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in IDAHO County

T21N R01E S11 NESW

Place of use does not include federal public lands.

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 - License

Parcel No(s): RP21N01E115250A

CERTIFICATE OF MAILING

I certify that on July 30, 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:

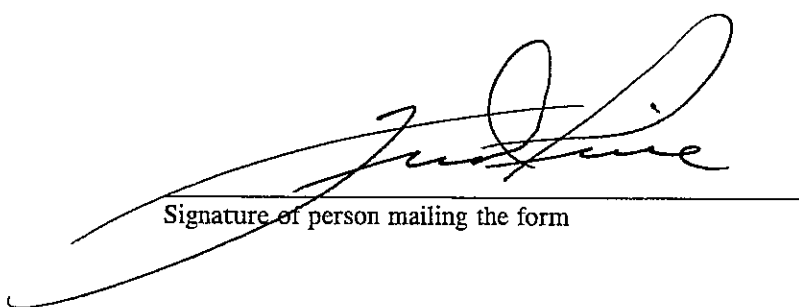
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

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

DORIS HUBBARD
THOMAS H HUBBARD
PO BOX 331
NEW MEADOWS, ID 83654
Phone: 208-628-3077

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



Signature of person mailing the form