

RECEIVED

AUG 05 2008

DEPARTMENT OF
WATER RESOURCES

JORDAN P. SMITH
CHARTERED
ATTORNEY AT LAW
807 MAIN STREET
SALMON, IDAHO 83467
208-756-2257
TELEFAX (208) 756-4626

July 30, 2008

State of Idaho
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83707-9815

Re: Salmon River Properties, Inc.

Gentlemen:

Enclosed please find the two copies of the STIPULATED ELEMENTS
OF A WATER RIGHT, properly signed by the parties, together with a
copy of a letter to the Clerk of the Court.:

Sincerely,



Jordan P. Smith

JPS:lem

Enclosures

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. 75-04027
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT
	)	(Previously Disallowed)

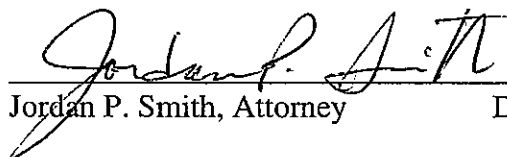
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

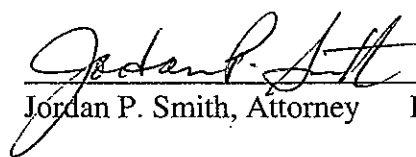
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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.

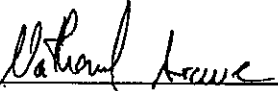
CLAIMANT
Salmon River Properties, Inc.

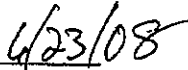
OBJECTOR
Ward Whitmore

 7/29/08
Jordan P. Smith, Attorney Date

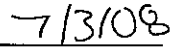
 7/29/08
Jordan P. Smith, Attorney Date

IDWR Concurrence:


Nathaniel Arave
Senior Water Resource Agent


Date


Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR


Date

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

RIGHT NUMBER: 75-4027

NAME AND ADDRESS: SALMON RIVER PROPERTIES INC
BOX 4495
CHATSWORTH CA 91313

SOURCE: DEER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.850 CFS

PRIORITY DATE: 06/06/1927

POINT OF

DIVERSION: T19N R21E S32 SWSWNE Within LEMHI County
T19N R21E S32 NENWSE Within LEMHI County
T19N R21E S32 NWSESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.850 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T18N R21E S04 Lot 4 NWNW	1.30	T18N R21E S05 Lot 1 NENE 0.10
	T19N R21E S32 NESE	1.10	T19N R21E S32 NWSE 7.70
	T19N R21E S32 SWSE	0.20	T19N R21E S32 SESE 14.00
	T19N R21E S33 SWSW	2.30	

26.7 ACRES TOTAL

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on 8-1-08, 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:

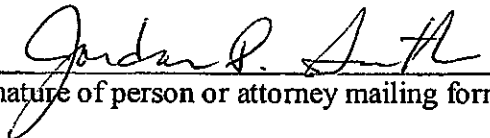
1. Original to:

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

SALMON RIVER PROPERTIES INC
WARD M WHITMORE

Represented by:
JORDAN P. SMITH
807 MAIN ST
SALMON, ID 83467

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



Signature of person or attorney mailing form