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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. 45-12794  
)  
)  
)

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS  
OF A WATER RIGHT

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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 in the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

**CLAIMANT:**

United States on behalf of the  
Bureau of Land Management

Larry A. Brown 8/6/08  
Date

Larry A. Brown  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Div.

**OBJECTOR:**

State of Idaho

David J. Barber 8/4/08  
Date

David J. Barber  
Deputy Attorney General  
Office of the Attorney General, State of Idaho

**IDWR CONCURRENCE:**

Douglas Jones 8/5/08  
Date  
Douglas Jones  
Technical Engineer 1

**IDWR CONCURRENCE:**

Nicholas B. Spencer 8-5-08  
Date  
Nicholas B. Spencer  
Deputy Attorney General

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

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RIGHT NUMBER: 45-12794

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED  
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~01/01/1873~~ 06/28/1934

POINT OF  
DIVERSION:

T16S R21E S26

NWNESW  
SWSWNW

Within CASSIA County  
(INSTREAM BEGINNING POINT)  
(INSTREAM ENDING POINT)

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
STOCKWATER

PERIOD OF USE  
01-01 12-31

QUANTITY  
0.02 CFS

PLACE OF USE:

STOCKWATER

T16S R21E S26

SWNW  
NESW  
NWSW

Within CASSIA County

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT  
IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
BLM RECORD ID = 4502480163  
NEW CLAIM

## CERTIFICATE OF MAILING

I certify that on 8/7, 2008, I mailed the original and copies of this form, including all attachments, 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

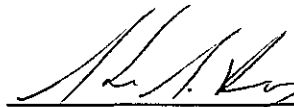
2. Copy to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P. O. Box 83720  
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice  
Environment and Natural  
Resources Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724



Signature of person or attorney mailing the form