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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

Case No. 39576

Subcase Nos. 67-2386

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

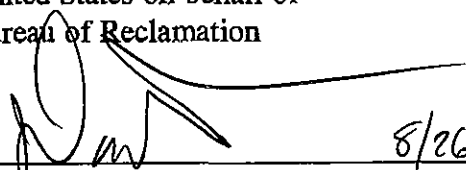
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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/OBJECTOR:

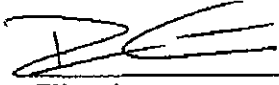
United States on behalf of
Bureau of Reclamation


David Gehlert
Attorney, U.S. Department of Justice
Environment and Natural Resources Division
STANDARD FORM 5 67-2386

8/26/08
Date

OBJECTOR:

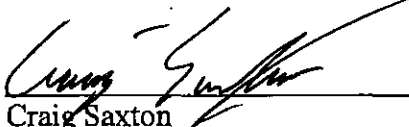
Idaho State Attorney General's Office
on behalf of the State of Idaho

 for 7/23/08
Clive Strong
Deputy Attorney General
Natural Resources Division Chief

Date

NA12583

IDWR Concurrence:

 8/18/08

Date
Craig Saxton
IDWR Agent

 8/19/08

Date
Chris M. Bromley
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on Aug. 26, 2008, 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

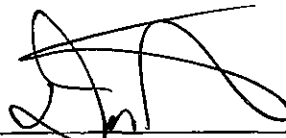
2. Copies to:

State of Idaho
Represented by:
Natural Resources Division Chief
State of Idaho
Attorney General's Office
PO Box 44449
Boise, ID 83711-4449

USDI Bureau of Reclamation
Represented by:
US Department of Justice
Environment & Natl' Resources
550 West Fort Street
Boise, ID 83724

United States of America
Regional Director PN Region
Bureau of Reclamation PN-3100
1150 N. Curtis Rd., Ste 100
Boise, ID 83706-1234

IDWR Repository
P.O. Box 83720
Boise, ID 83720-0098



Signature of person or attorney mailing the form

11/23/2007

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

RIGHT NUMBER: 67-2386

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
BUREAU OF RECLAMATION
REGIONAL DIRECTOR PN CODE-3100
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

SOURCE: MANN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 10,000.000 AFY

PRIORITY DATE: 12/14/1940

POINT OF DIVERSION:

T12N R05W S11 SENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	1/01 12/31	10,000.00 AFY
IRRIGATION FROM STORAGE	3/15 11/15	8,390.00 AFY

PLACE OF USE:

Place of use is within Washington County on lands within the Mann and Monroe Creeks irrigation districts.

The reservoir storage capacity is 12,950 acre feet when filled to elevation 2889.0 feet MSL and measured at the upstream face of the dam.

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.

The name of the United States of America acting through the Bureau of Reclamation appears in the Name and Address sections of this partial decree. However, as a matter of Idaho Constitutional and Statutory Law, title to the use of the water is held by the consumers or users of the water. The irrigation organizations act on behalf of the consumers or users to administer the use of the water for the landowners in the quantities and/or percentages specified in the contracts between the Bureau of Reclamation and the irrigation organizations for the benefit of the landowners entitled to receive distribution of this water from the respective irrigation organizations. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of or served by such irrigation organizations, and that interest is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

A measuring device of a type approved by the Department shall be

permanently installed and maintained as part of the diverting works.