

**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 No. 75-04415

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.

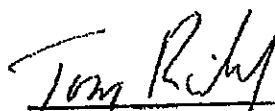
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:
Tom Black

CLAIMANT:
Tom Riley



Tom Black Date
Pro Se

 09/09/08

Tom Riley Date
Pro Se

CLAIMANT:
Ron Riley

Ron Riley _____
Ron Riley Date
Pro Se

OBJECTOR
United States of America

David Negri 9/9/08
David Negri, Attorney Date
USDA Forest Service

IDWR Concurrence:

Nathaniel Arave 8/29/08
Nathaniel Arave Date
Senior Water Resource Agent

Garriok L. Baxter 8/29/08
Garriok L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

UWA
ABDN

RIGHT NUMBER: 75-4415

NAME AND ADDRESS: TOM BLACK
302 LOWARD ST
SALMON ID 83467

TOM RILEY
302 LOWARD ST
SALMON ID 83467

RON RILEY
302 LOWARD ST
SALMON ID 83467

R
SB
RRR

SOURCE: INDIAN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.400 CFS

Right Nos. 75-7006 and 75-4415 are limited to a total combined diversion rate of 0.02 cfs per acre.

PRIORITY DATE: 04/01/1900

POINT OF
DIVERSION:

T25N E24N R20E S19 SESE Within LEMHI County
T25N R20E S29 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 11/01	0.400 CFS
PLACE OF USE:		
IRRIGATION in LEMHI County		
T25N R20E S19 SESE	10.00	T25N R20E S29 SWNW 10.00
T25N R20E S30 NESE	5.00	
25 ACRES TOTAL		

Places of use do not include any federal land.
This water right is entirely within a non-surveyed township
Places of use are all within HES 366

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 Sept. 10, 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

via hand delivery

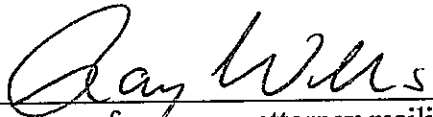
UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

via hand delivery

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

RON RILEY
TOM BLACK
TOM RILEY
302 LOMBARD ST
SALMON, ID 83467

via hand delivery



Signature of person or attorney mailing form