

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

November 7, 2008

Robert L. Harris, Attorney
Holden Kidwell Hahn & Crapo
P.O. Box 50130
Idaho Falls, Idaho 83405

Re: Subcase No. 21-10887

Dear Mr. Harris

Enclosed please find the original document entitled "Standard Form 5 - Stipulated Elements of a Water Right" (commonly referred to as SF5) for the above referenced subcase nos. for Basin 21. I am returning this document because the Court will require that each of your initials is placed on the actual recommendation before it will accept the document for filing. Please initial the document entitled "Idaho Department of Water Resources Recommendation of Water Rights Acquired Under State Law" and then send the document back to my attention in the self addressed stamped envelope provided for your convenience. I will then ensure that the remaining signatures are gathered and that the document is subsequently filed with the Court.

If you have any questions regarding this process or the enclosed documents please do not hesitate to call me at 287-4814.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Renea Ridgeway".

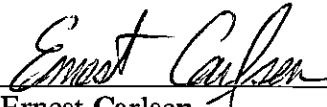
Renea Ridgeway
Paralegal, IDWR

Enclosures

In Re SRBA	)	Subcase No. 21-10887
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

1

IDWR Concurrence:

 11/3/08
Ernest Carlsen Date
Water Resource Program Manager

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on _____, 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:

CITY OF ASHTON
Represented by:
ROBERT HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405

CITY OF ASHTON
PO BOX 689
ASHTON, ID 83420

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

Signature of person or attorney mailing the form

10/03/2006

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

RIGHT NUMBER: 21-10887

NAME AND ADDRESS: CITY OF ASHTON
PO BOX 689
ASHTON ID 83420

SOURCE: GROUND WATER

TRIBUTARY:

ENE

QUANTITY: 1.440 CFS

PRIORITY DATE: 04/30/1948

POINT OF
DIVERSION: T09N R42E S36 NWNE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
1.440 CFS

PLACE OF USE:

Place of use is within the service area of the City of Ashton municipal water supply system as provided for under Idaho Law.

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 - Beneficial Use