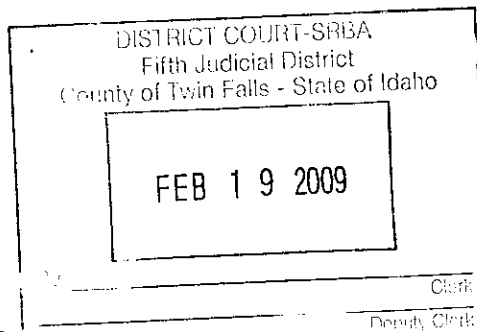




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FEB 20 2009



**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. 67-206
)
)
)
)
)
)
)

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.

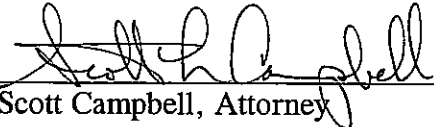
CLAIMANT:

Harold Gibson


Bruce Smith, Attorney
14/22/08 Date

OBJECTOR:

Cuddy Meadows Ranch, LLP


Scott Campbell, Attorney
2/3/09 Date

STANDARD FORM 5 67-206

IDWR Concurrence:

George L. Fisher 2-13-09
IDWR Agent Date

Chris M. Bromley 2/13/09
Chris M. Bromley Date
Deputy Attorney General

STANDARD FORM 5 67-206

SLC
2/3/09 Bromley
12/22/07

CERTIFICATE OF MAILING

I certify that on Feb. 16, 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:

CUDDY MEADOWS RANCH LLP
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829

HAROLD W GIBSON
Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702

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

Deserae Kramer
Signature of person or attorney mailing the form

SLC
2/3/09

Box
12/24/08

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

RIGHT NUMBER: 67-206

NAME AND ADDRESS:

HAROLD W GIBSON
C/O GENE W GIBSON
20 LILAC LN
SAGLE ID 83860

HAROLD W GIBSON
C/O CHAD C GIBSON
16770 AGATE LN
WILDER ID 83676

Handwritten:
Rm
12/27/09
SHC
2/3/09
CB
LS

SOURCE:

Source:

PINE CREEK
~~LITTLE PINE CREEK~~

Tributary:

WEISER RIVER
~~PINE CREEK~~

QUANTITY:

0.300 CFS
0.000 AFY

~~The rights listed below are limited to a total combined diversion rate of 0.70 cfs. Combined Right Nos.: 67-206, 67-221, 67-222.~~

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T16N R04W S32 SENE
Within WASHINGTON County

T16N R04W S32 NESE
Within WASHINGTON County

T16N R04W S32 SESE
Within WASHINGTON County

~~T16N R04W S33 NWNE
Within WASHINGTON County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 10/31

0.300 CFS

PLACE OF USE:

IRRIGATION

within WASHINGTON County

T16N R04W S32 SENE 4.2
T16N R04W S32 NESE 3.6
T16N R04W S32 SESE 5.3

~~T16N R04W S32 NESE 5.8~~
~~T16N R04W S32 SESE 4.0~~
~~T16N R04W S33 SWNW 7.5~~
~~T16N R04W S33 SENW 1.5~~
~~T16N R04W S33 NWSW 5.2~~

13.1 ACRES TOTAL

24 ACRES TOTAL

~~The rights listed below are limited to the irrigation of a combined total of 35 acres in a single irrigation season. Combined Right Nos.: 67-206, 67-221, 67-222.~~

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

SHC 2/3/09
Ray
12/22/08

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.

CB
CS

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

~~Right Nos. 67-221 and 67-222 are also diverted through points of diversion described above.~~