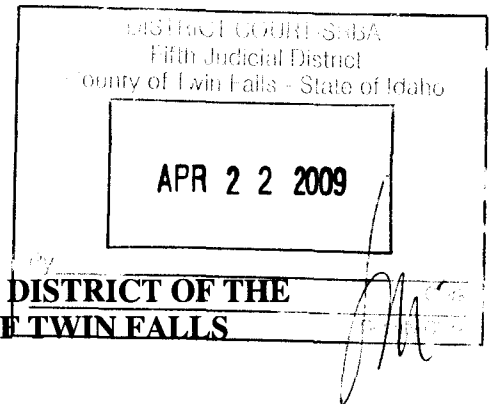




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

) Subcase Nos. 02-7272
)
)
)
)
)
)
)

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.

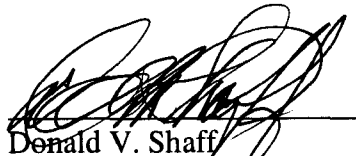
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

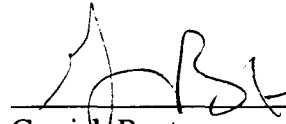
Wilson & Wilson Co., Inc.

Ann T Wilson 4.15.09
Date

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief

4-17-09
Date


Garriok Baxter
Deputy Attorney General

4/16/09
Date

CERTIFICATE OF MAILING

I certify that on _____, 2009, 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:

WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

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

Signature of person or attorney mailing the form

CERTIFICATE OF MAILING

I certify that on April 22nd, 2009, 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:

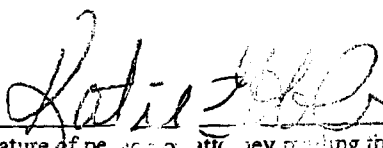
1. Original to:

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:

WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

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


Signature of person or attorney mailing the form

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

RIGHT NUMBER: 2-7272

NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT ID 83627

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 17.820 CFS
4,455.00 AFY

The rights listed below are limited to a total combined diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

PRIORITY DATE: 10/23/1978

POINT OF
DIVERSION:

T05S R06E S36 SESESE Lot 6 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	17.820 CFS 4,455.00 AFY

PLACE OF USE: IRRIGATION in OWYHEE County

T06S R06E S01	SWNE	38.00	T06S R06E S01	NESW	33.00
T06S R06E S01	SESW	33.00	T06S R06E S01	NESE	33.00
T06S R06E S01	NWSE	40.00	T06S R06E S01	SWSE	40.00
T06S R06E S01	SESE	27.00	T06S R06E S12	NENE	40.00
T06S R06E S12	NWNE	38.40	T06S R06E S12	SWNE	28.10
T06S R06E S12	SENE	39.00	T06S R06E S12	NESE	40.00
T06S R06E S12	NWSE	33.60	T06S R06E S12	SWSE	32.00
T06S R06E S12	SESE	40.00	T06S R06E S13	NENE	5.60
T06S R07E S06 Lot 5	SNNW	6.50	T06S R07E S06	SENE	0.50
T06S R07E S06	NESW	0.70	T06S R07E S06 Lot 6	NWSW	20.00
T06S R07E S06 Lot 7	SWSW	37.60	T06S R07E S07 Lot 1	NNNW	38.40
T06S R07E S07 Lot 2	SNNW	38.90	T06S R07E S07	SENE	27.00
T06S R07E S07	NESW	38.00	T06S R07E S07 Lot 3	NWSW	40.00
T06S R07E S07 Lot 4	SWSW	40.00	T06S R07E S07	SESW	40.00
T06S R07E S07	NWSE	21.70	T06S R07E S07	SWSE	25.90
T06S R07E S18	NWNE	20.40	T06S R07E S18	NENW	40.00
T06S R07E S18 Lot 1	NNNW	38.00	T06S R07E S18 Lot 2	SNNW	29.70
T06S R07E S18	SENE	40.00	T06S R07E S18	NESW	25.60
T06S R07E S18 Lot 3	NWSW	0.50			

1110.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1110.1 acres in a single irrigation season. Combined Right Nos.: 02-02047, 02-02054, 02-07272, & 02-10060.

atw
SS
RF

This right is limited to the irrigation of 891 acres within the place of use described above in a single irrigation season.

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 - License

See remarks for additional conditions of approval.

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

The following rights are also diverted through point of diversion described above: 02-02047, 02-02054 & 02-10060.

atw
H3
RF