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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	)	Subcase No. <u>75-10627</u>
	)	
	)	Standard Form 5
Case No. 39576	)	
	)	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 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 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:

Salmon River Properties, Inc.

Jordan P. Smith 04/15/09
Jordan P. Smith
Attorney for Claimant

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 4/28/09
David L. Negri FWP
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Monica Van Bussum 4/15/2009
Monica Van Bussum
Senior Water Resource Agent

IDWR CONCURRENCE:

Garrick L. Baxter 4/15/09
Garrick L. Baxter
Deputy Attorney General

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

RIGHT NUMBER: 75-10627

NAME AND ADDRESS: SALMON RIVER PROPERTIES INC
BOX 4495
CHATSWORTH CA 91313

SOURCE: DEER CREEK TRIBUTARY: SALMON RIVER
SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.480 CFS
98.00 AFY

This right when combined with all other rights shall
provide no more than 3.5 afa per acre at the field headgate for
irrigation of the lands above.

PRIORITY DATE: 06/06/1927

POINT OF
DIVERSION: T18N R21E S3 SWNE Lot 5 Within LEMHI County
T18N R21E S3 SWNW Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	4/15 10/15	1.480 CFS 98.00 AFY

The use of water for irrigation under this right may
begin as early as April 1 and may continue to as late as
October 31, provided other elements of the right are not
exceeded. The use of water before April 15 and after October 31
under this remark is subordinate to all water rights having no
subordinated early or late irrigation use and a priority date
earlier than the date a partial decree is entered for this
right.

PLACE OF USE:	IRRIGATION	in LEMHI County
	T18N R21E S03 Lot 5 SWNE	11.00
	T18N R21E S03 Lot 3 NENW	9.00
	T18N R21E S03 Lot 5 SENW	8.00
	28 ACRES TOTAL	

JPA *AB*
Fwp *MVB*
Da

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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

CERTIFICATE OF MAILING

I certify that on 4/28/09, 2009 mailed the original and copies of this form, including all attachments, 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. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

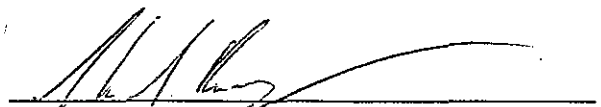
IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Salmon River Properties, Inc.
P.O. Box 4495
Chatsworth, CA 91313-4495

Jordan P. Smith
400 West 2nd Avenue
Salmon, Idaho 83467
-attorney for claimant


Signature of person or attorney mailing the form