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JUN 08 2009

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

Case No. 39576

Subcase No. 73-02053

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

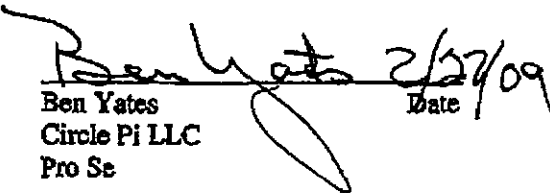
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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.

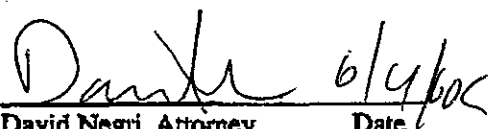
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:
Circle Pi LLC

OBJECTOR:
United States of America

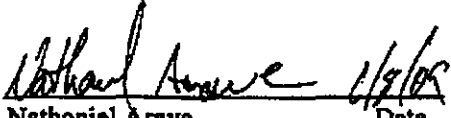

Ben Yates
Circle Pi LLC
Pro Se

Date

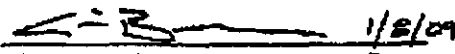

David Negri, Attorney
Bureau of Land Management

Date

IDWR Concurrence:


Nathaniel Arave
Senior Water Resource Agent

Date


Chris Bromley
Deputy Attorney General
Attorney for IDWR

Date

BN4

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

RIGHT NUMBER: 73-2053

NAME AND ADDRESS: CIRCLE PI LLC
P.O. BOX 2295
MAY ID 83252

SOURCE: SPRING

TRIBUTARY: PATTERSON CREEK

QUANTITY: 0.400 CFS

PRIORITY DATE: 10/04/1989

POINT OF
DIVERSION:

T14N R22E S7 NENE Within LEMHI County
T14N R22E S7 SEW Injection Within LEMHI County
T14N R22E S7 NWSW Lot 3 Rediversion Within LEMHI County

PURPOSE AND
PERIOD OF USE:

DN

	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04/01 10/31	0.400 CFS
PLACE OF USE:	IRRIGATION in CUSTER County		
	T14N R21E S01 SEW	0.20	T14N R21E S01 NENE 0.60
	T14N R21E S01 NWSW	28.00	T14N R21E S01 SEW 39.00
	T14N R21E S01 SEW	9.40	T14N R21E S02 SEW 27.00
	T14N R21E S02 SEW	15.00	T14N R21E S02 NENE 38.00
	T14N R21E S02 NWSW	26.00	T14N R21E S02 SEW 17.00
	T14N R21E S02 SEW	40.00	T14N R21E S11 NENE 18.00
	T14N R21E S12 NWSW	18.00	T14N R21E S12 NWSW 40.00
	T14N R21E S12 SEW	23.00	T14N R21E S12 SEW 9.60

348.8 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7825 are limited to the irrigation of a combined total of 382.8 acres in a single irrigation season.

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season.

This right is limited to the irrigation of 20 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

CERTIFICATE OF MAILING

I certify that on 5/4, 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:

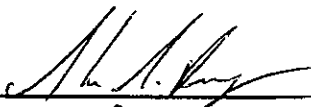
I. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

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

CIRCLE PI LLC
C/O BEN YATES
HC 62 BOX 2295
MAY, ID 83253

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



Signature of person or attorney mailing form