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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

Case No. 39576

Subcase No. 73-07025

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

2/27/09
Date

David Negri
David Negri, Attorney
Bureau of Land Management

6/4/09
Date

IDWR Concurrence:

Nathaniel Arave
Nathaniel Arave
Senior Water Resource Agent

1/8/09
Date

Chris Bromley
Chris Bromley
Deputy Attorney General
Attorney for IDWR

1/8/09
Date

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

RIGHT NUMBER: 73-7025

NAME AND ADDRESS: CIRCLE PI LLC
P.O. BOX 2285
MAY ID 83252

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.120 CFS
318.00 APY

PRIORITY DATE: 12/07/1973

POINT OF

DIVERSION: T14N R21E S12 NW/4 Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.120 CFS
318.00 APY

PLACE OF USE: IRRIGATION in CUSTER County

T14N R21E S02	SW/4	20.00	T14N R21E S02	SW/4	39.00
T14N R21E S11	SW/4	20.00	T14N R21E S12	SW/4	27.00

106 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 73-6, 73-12, 73-10061, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 acres 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:

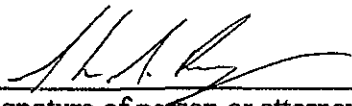
1. Original to:

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

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