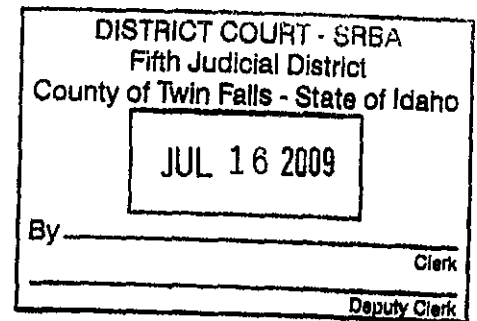




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase No. 27-12050
	)	
Case No. 39576	)	
	)	STIPULATION TO RESOLVE
	)	OBJECTION
	)	

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.

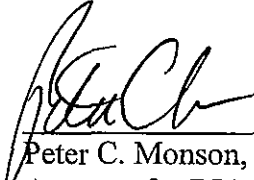
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

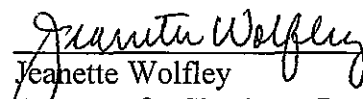
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached and that this stipulation resolves the objections to the quantity of the stockwater component of this water right. **The parties and IDWR acknowledge that the objections to the Director's Report filed by the Shoshone-Bannock Tribe concerning an annual irrigation diversion volume and the period of use, and the Bureau of Indian Affairs objections concerning an annual irrigation diversion volume are still outstanding.** The parties and IDWR have further indicated their concurrence by initialing the attached page.

CLAIMANT:
Randy Panter

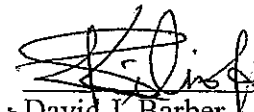
 5/5/09
for Randall C. Budge Date
Attorney for Claimant

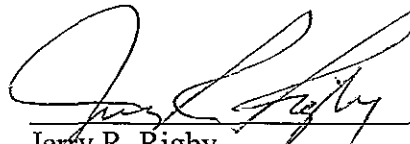
OBJECTORS:

 6/22/09
Peter C. Monson, USDOJ Date
Attorney for BIA

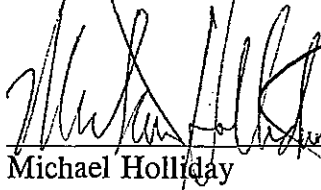
 4/16/09
Jeanette Wolfley Date
Attorney for Shoshone-Bannock Tribes

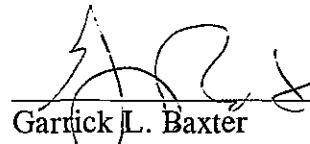
RESPONDENTS:

 7/10/09
David J. Barber Date
Attorney for State of Idaho
Shasta Kilminster-Hadley

 6/10/09
Jerry R. Rigby Date
Attorney for Committee of Nine

IDWR Concurrence:

 7/1/2009
Michael Holliday Date
Senior Water Resource Agent

 6/15/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-12050

NAME AND ADDRESS: RANDY PANTER
14885 N HWY 34
THATCHER ID 83283

SOURCE: TRAIL CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.630 CFS

The rights listed below are limited to a total combined annual diversion volume for stockwater of 2.36 af. Combined Right Nos.: 27-11366, 27-12050 and 27-12092.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/08/1913

POINT OF
DIVERSION:

T08S R43E S16 SWSW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE:

PERIOD OF USE:

QUANTITY:

IRRIGATION

04/15 10/31

0.630 CFS

STOCKWATER

05/15 11/01

0.020 CFS

1.88 AFY

PLACE OF USE: IRRIGATION in CARIBOU County

T08S R43E S16 NWNW 0.50 T08S R43E S16 SWNW 18.00

T08S R43E S16 NWSW 13.00

STOCKWATER same as IRRIGATION

31.5 ACRES TOTAL

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

This right is a split from former right 27-2024.

Stockwater use is for 300 range cattle.

Stipulation

27-12050

CERTIFICATE OF MAILING

I certify that on 7/15, 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:

SHOSHONE-BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N. ARTHUR
POCATELLO, ID 83202

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV. CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

COMMITTEE OF NINE

Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W., STE. 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

RANDY PANTER

Represented by:
RANDALL C. BUDGE
201 E CENTER, STE A2
P.O. BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

COMMITTEE OF NINE

Represented by:
RAY W. RIGBY
25 N 2ND E
P.O. BOX 250
REXBURG, ID 83440-0250

A handwritten signature in cursive script, appearing to read "R. W. Rigby", written in black ink.

Signature of person or attorney mailing the form