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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. 37-577BS

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

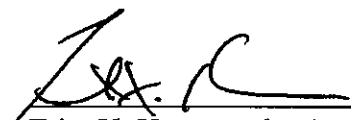
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

CLAIMANTS/OBJECTORS

David & Linda Cropper


Fritz X. Haemmerle, Attorney

10/16/09
Date

IDWR Concurrence:

IDWR Agent

Date

Deputy Attorney General, IDWR

Date

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

RIGHT NUMBER: 37-577BS

NAME AND ADDRESS:

DAVID L CROPPER
400 N MAIN ST #2
HAILEY ID 83333-8416

LINDA C CROPPER
400 N MAIN ST #2
HAILEY ID 83333-8416

DAVID L CROPPER
PO BOX 669
HAILEY ID 83333

LINDA BERNHAGEN CROPPER
PO BOX 516
HAILEY ID 83333

FXH

SOURCE: Source: BIG WOOD RIVER

Tributary: MALAD RIVER

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under right 37-2725 to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.898 CFS
0.000 APY

PRIORITY DATE: 03/24/1983

POINT OF DIVERSION: T03N R18E #20 SWNW
Within BLAINE County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/15 10/31	0.898 CFS

Amended Director's Report: 37-577BS

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

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, the right to divert ground water shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

PLACE OF USE: IRRIGATION within BLAINE County

T02N R18E S04 NWSW 20.2

~~T03N R18E S04 NWSW 18.6~~

T02N R18E S04 SWSW 2.8

~~T03N R18E S04 SWSW 2.4~~

FX 17

23 ACRES TOTAL

~~21 ACRES TOTAL~~

Right Nos. 37-577BS and 37-2725 are limited to the irrigation of a combined total of 23 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 - Decreed

CERTIFICATE OF MAILING

I certify that on 16th Oct., 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:

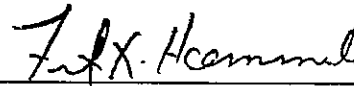
1. Original to:

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:

DAVID & LINDA CROPPER
DAVID L CROPPER
LINDA BERNHAGEN-CROPPER
Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333

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



Signature of person or attorney mailing the form