

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

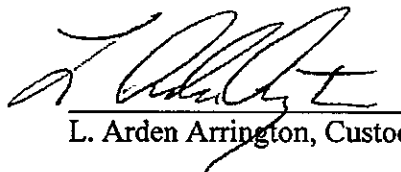
In Re SRBA	)	Subcase No. 75-14445
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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.

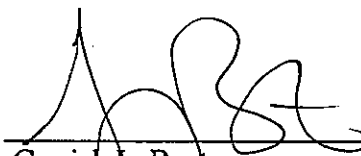
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT
PENSCO Trust

 11/19/09

L. Arden Arrington, Custodian Date

IDWR Concurrence:

 11/24/2009 _____ Monica Van Bussum Date Senior Water Resource Agent	 11/24/2009 _____ Garrick L. Baxter Date Deputy Attorney General Attorney for IDWR
---	---

11/09/2009

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

RIGHT NUMBER: 75-14445

NAME AND ADDRESS: PENSICO TRUST COMPANY
CUSTODIAN L. ARDEN ARRINGTON
BOX 1110
SALMON ID 83467

L.A.B.
MyB
JB

SOURCE: WALLACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: ~~0.040~~ 0.030 CFS

PRIORITY DATE: 05/13/1898

POINT OF
DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 0.030 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06	SENW	3.90 3.00	T22N R22E S06 Lot 11 NESW	0.20 0.20
4.2 3.2 ACRES TOTAL				

Right Nos. 75-14445 and 75-14447 are limited to the irrigation of a combined total of ~~4.2~~ 3.2 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

This right is a split from former right 75-13955.

This right is a split from decreed right 75-83.

CERTIFICATE OF MAILING

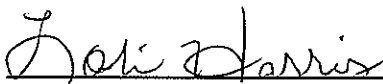
I certify that on November 25, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

PENSCO TRUST COMPANY
CUSTODIAN L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467



Signature of person or attorney mailing form