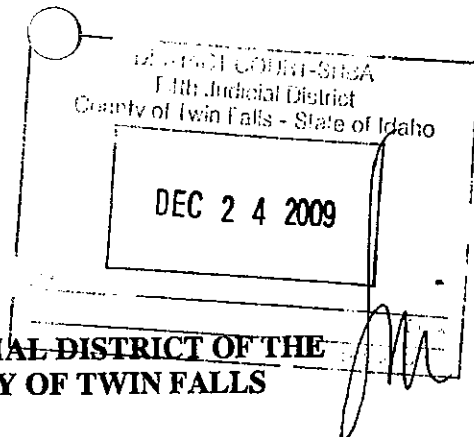




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 79-4285
	)	(Previously Disallowed)
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/OBJECTOR:

City of Grangeville



Adam Green, Attorney

12/17/2009

Date

IDWR Concurrence:

Carter Fritschle 12-21-09
Carter Fritschle Date
Manager, Adjudication Bureau

Andrea Courtney 12/21/09
Andrea Courtney Date
Deputy Attorney General
Barrick BAKER

CERTIFICATE OF MAILING

I certify that on December 23, 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:

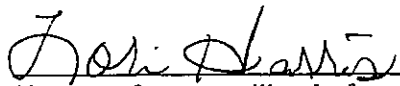
1. Original to:

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:

CITY OF GRANGEVILLE
Represented by:
ADAM GREEN
GRANGEVILLE CITY ATTORNEY
401 W NORTH ST
PO BOX 246
GRANGEVILLE, ID 83530
Phone: 208-983-3089

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



Signature of person mailing the form

10/13/2009

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

RIGHT NUMBER: 79-4285

NAME AND ADDRESS: CITY OF GRANGEVILLE
225 W NORTH ST
GRANGEVILLE ID 83530

SOURCE: JOHNS CREEK

TRIBUTARY: ROCK CREEK

QUANTITY: 0.760 CFS

PRIORITY DATE: 04/15/1961

POINT OF
DIVERSION:

T30N R02E S25 SWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.760 CFS
PLACE OF USE:	<u>IRRIGATION in IDAHO County</u>		
	T30N R02E S25 SWNW 26.00	T30N R02E S26 SENE 12.00	
	38 ACRES TOTAL		

Right Nos. 79-4285 and 79-4288 are limited to the irrigation of a combined total of 38 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 - Beneficial Use

A. H. J.

CJ
AB