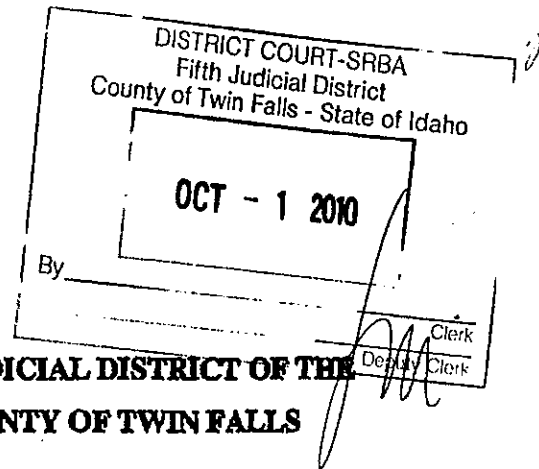




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No.: 45-4091
	)	
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 Burley

Michael P. Tribe 9-29-10
Michael P. Tribe Date
Attorney for the City of Burley

IDWR CONCURRENCE:

Kelly K. Christensen 9-23-10
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Nicholas B. Spencer 9-28-10
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

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

KKC
NBS

The rights listed below are associated with an irrigation delivery system north of the railroad tracks, an irrigation delivery system south of the railroad tracks and a culinary system. The three systems normally operated independently are physically connected. Combined rights 35-4080, 45-4089, 45-4090, 45-4091, 45-4092, 45-4093, 45-4094, 45-4095, 45-4096, 45-4097, 45-4098, 45-4099, 45-7269, 45-7436, 45-11133, 45-13895, 45-14083, and 45-14280.

CERTIFICATE OF SERVICE

I certify that on September 30, 2010, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

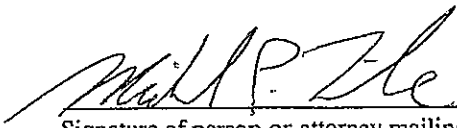
IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Michael P. Tribe
Robinson, Anthon & Tribe
P.O. Box 396
Burley, ID 83350-0396

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Director of IDWR
PO Box 83720
Boise, ID 83720-0098- Regular
Mail


Signature of person or attorney mailing the form