

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

Subcase No. 73-12053

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

Northwest Fidelity Trust

James P. Speck 10.8.10
James P. Speck, Attorney Date

STANDARD FORM 5 - 73-12053

IDWR Concurrence:

Carter Litzke 10-5-10
IDWR Agent Date

Chris Bromley 10/6/10
Deputy Attorney General Date

CERTIFICATE OF MAILING

I certify that on October 20, 2010, 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:

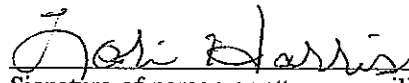
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

NORTHWEST FIDELITY TRUST

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

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



Signature of person or attorney mailing the form

10/05/2010

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

RIGHT NUMBER: 73-12053

NAME AND ADDRESS: NORTHWEST FIDELITY TRUST
PO BOX 133
MAY ID 83253

SOURCE: STINKING CREEK

TRIBUTARY: BIG CREEK

QUANTITY: 0.880 CFS

PRIORITY DATE: 10/19/1903

POINT OF
DIVERSION:

T13N R24E S18 NENE 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	0.880 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County and LEMHI County</u>		
	T13N R23E S12 SWSE ~~26.0~~ <u>21.0</u>	T13N R23E S13 NENE ~~12.0~~ <u>15.0</u>	
	T13N R23E S13 NWNE ~~9.5~~ <u>9.8</u>	T13N R23E S13 SENE ~~8.0~~ <u>8.5</u>	
	T13N R24E S18 Lot 2 SWNW ~~4.7~~ <u>12.0</u>	T13N R24E S18 Lot 3 NWSW <u>2.90</u>	
	<u>60.2 69.2 ACRES TOTAL</u>		

Right Nos. 73-12050, 73-12053, 73-12056, 73-12059 and 73-12089 are limited to the irrigation of a combined total of 228 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 73-181.