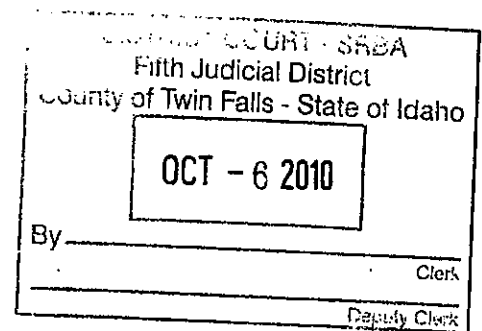




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No.: 45-4097

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

NAME AND ADDRESS: CITY OF BURLEY
PO BOX 1090
BURLEY ID 83318

TRIBUTARY:

PRIORITY DATE: 04/14/1905

[illegible][illegible]

KKC MPI
NBS

QUANTITY
0,890 CFS

Place of use is within the service area of the City of Burley municipal water supply system as provided for under Idaho law. The rights listed below share a common delivery system south of the railroad tracks and are used as a lawn irrigation system. Combined rights 45-1093, 45-1094, 45-1095, 45-1096, 45-1097, 45-7436, 45-11132, 45-13025, and 45-14082.

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from the Pump house wall # 1 located in T10S, R23E, S29, N44W, S20, N8E.

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 45-4080, 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, 45-14093, and 45-14290.