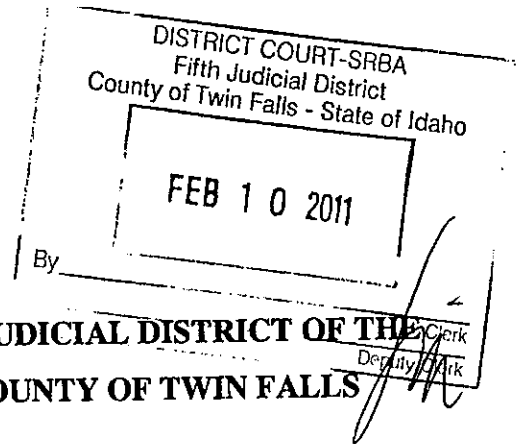




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No.: 37-2142

STANDARD FORM 5

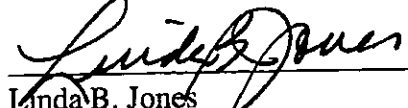
STIPULATED ELEMENTS OF A  
WATER RIGHT

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.

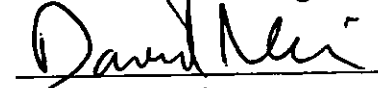
**CLAIMANT / OBJECTOR:**

  
Linda B. Jones  
Attorney for Wells Fargo Bank

Date

**RESPONDENT:**

United States on behalf of the  
Bureau of Land Management

  
David L. Negri  
Attorney, U.S. Department of Justice  
Environment and Natural Resources

Date

**IDWR CONCURRENCE:**

Kelly K. Christensen 1-18-11  
Kelly K. Christensen Date  
Sr. Water Resource Agent

**IDWR CONCURRENCE:**

C. M. Bromley 2/8/11  
Christopher M. Bromley Date  
Deputy Attorney General  
Attorney for IDWR

11/23/2010

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

RIGHT NUMBER: 37-2142

NAME AND ADDRESS: WELLS FARGO BANK  
1740 BROADWAY  
7TH FLOOR MAC C7300-079  
DENVER CO 80274

SOURCE: HOT SPRINGS GULCH CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 1.500 CFS

The rights listed below are limited to 3.50 af per acre for irrigation purposes in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and 37-12396.

PRIORITY DATE: 06/24/1909

POINT OF  
DIVERSION:

T02N R18E S18 S8SW Lot 4 Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.500 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

|                          |                           |                          |                             |
|--------------------------|---------------------------|--------------------------|-----------------------------|
| T02N R18E S17 Lot 3 SWNW | <del>3.40</del> 2.90      | T02N R18E S17 Lot 4 SENW | <del>22.00</del> 23.00      |
| T02N R18E S17            | NESW <del>8.20</del> 8.60 | T02N R18E S17            | NWSW <del>26.00</del> 27.00 |
| T02N R18E S17 Lot 1 SWSW | <del>0.90</del> 1.10      | T02N R18E S18            | <del>SWSE</del> 15.00       |
| <del>T02N R18E S18</del> | <del>NENW</del> 1.10      | <del>T02N R18E S18</del> | <del>SENW</del> 25.00       |
| <del>T02N R18E S18</del> | <del>NESW</del> 8.40      | T02N R18E S18            | NESE 21.00 7.30             |
| <del>T02N R18E S18</del> | <del>NWSE</del> 19.00     | T02N R18E S18            | SWSE <del>16.00</del> 4.60  |
| T02N R18E S18 Lot 5 SESE | <del>22.00</del> 21.00    |                          |                             |

100-95.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~100-185~~ acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, ~~37-4138~~, and 37-4440.

This right is limited to the irrigation of 75 acres within the place of use described above in a single irrigation season.

Place of use does not include federal public lands.

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 - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

## CERTIFICATE OF SERVICE

I certify that on February 9, 2011, 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

Linda B. Jones  
Holland & Hart  
101 S. Capitol Blvd.  
P.O. Box 2527  
Boise, ID 83701

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

U.S. Department of Justice  
Environment & Nat'l Resources Div.  
550 W. Fort St., MSC 033  
Boise, ID 83724

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



Signature of person or attorney mailing the form