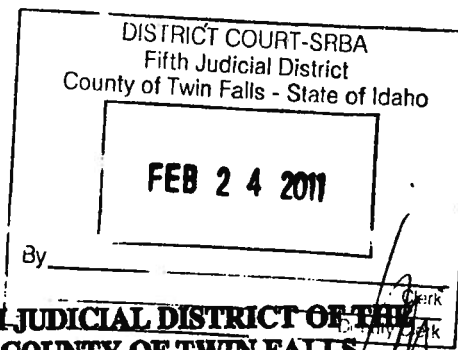




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA)

Subcase Nos. 02-02080

Case No. 39576)

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

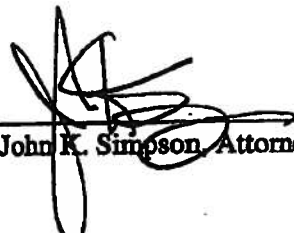
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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.

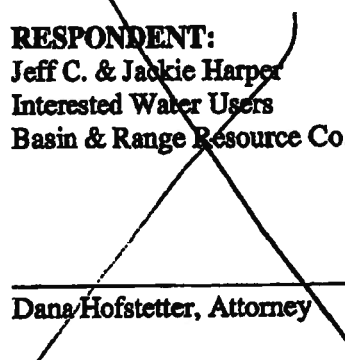
CLAIMANT/OBJECTOR
Idaho Power Company

RESPONDENT:
Jeff C. & Jackie Harper
Interested Water Users
Basin & Range Resource Co. LLC


John K. Simpson, Attorney

2/23/11

Date

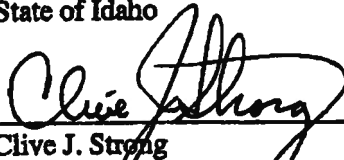

Dana Hofstetter, Attorney

Date

STANDARD FORM 5 - 02-02080

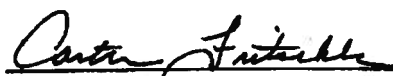
RESPONDENT:

State of Idaho

 2/23/11

Clive J. Strong Date
Deputy Attorney General
Chief, Natural Resources Division

IDWR Concurrence:

 2-24-11

Carter Fritschle Date
Adjudication Bureau Chief

 2-24-11

Garrick Baxter Date
Deputy Attorney General

02/22/2011

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

RIGHT NUMBER: 2-2080

NAME AND ADDRESS: IDAHO POWER CO
PO BOX 70
BOISE ID 83707

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 15,420.000 CFS

PRIORITY DATE: 06/21/1950

POINT OF
DIVERSION:

TOSS R04E S34 SNEW Lot 4 Within ELMORE County
TOSS R04E S34 SNEW Lot 10 Within ONYHIE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

POWER

01/01 12/31

15,420.000 CFS

Power generation is at the C.J. Strika Dam Power Plant.

PLACE OF USE:

POWER in ONYHIE County

TOSS R04E S33 Lot 5 NESE

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.

The rights herein granted are subject to the condition that the project shall be operated in such manner as will not conflict with future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such waters, for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

CERTIFICATE OF MAILING

I certify that on February 24, 2011, 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 *via facsimile & mail*
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

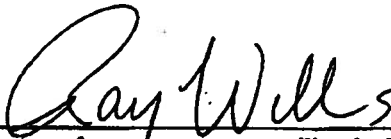
2. Copies to:

IDAHO POWER COMPANY
Represented by
JOHN K. SIMPSON
SHELLEY M. DAVIS
1010 W. JEFFERSON, SUITE 102
P.O. BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

BASIN & RANGE RESOURCE CO. LLC
JEFF C. & JACKIE HARPER
INTERESTED WATER USERS
Represented by
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

STATE OF IDAHO
Represented by
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

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



Signature of person or attorney mailing the form