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DEPARTMENT OF
WATER RESOURCES

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. 37-20894

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:



Travis L. Thompson
Attorney for Lisa Visting

3/14/11
Date

OBJECTOR:

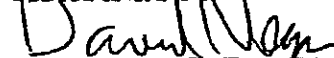


James P. Speck
Attorney for Jay C. Pace

3-8-11
Date

OBJECTOR:

United States on behalf of the
USDA Forest Service



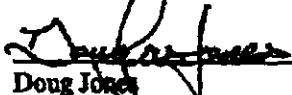
David L. Negri
Attorney, U.S. Department of Justice
Environment and Natural Resources

3/14/11
Date

Standard Form 5

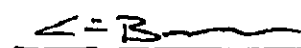
37-20894

IDWR CONCURRENCE:

 3/14/11

Doug Jones Date
Technical Engineer I

IDWR CONCURRENCE:

 3/14/11

Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

Right Number: 37-20894
Name and Address: LISA VIERLING
PO BOX 869
SUN VALLEY, ID 83353
Source: WARFIELD HOT SPRING Tributary: WARM SPRINGS CREEK
Quantity: 0.040 CFS

~~The quantity of water under this right shall not exceed 13,000
gallons per day.~~

Priority Date: 07-30-1970
Diversion Point: T04N R17E S31 SWNNW Within Blaine County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Heating	01-01 TO 12-31	0.040 CFS
	Domestic	01-01 TO 12-31	0.040 CFS
	Recreation	01-01 TO 12-31	0.040 CFS

Place of Use:	Heating		Within Blaine County
	<u>T04N R17E S31</u>	<u>SENN</u>	
	<u>T04N R16E S36</u>	<u>SENE</u>	
	Domestic		Within Blaine County
	<u>T04N R17E S31</u>	<u>SENN</u>	
	<u>T04N R16E S36</u>	<u>SENE</u>	
	Recreation		Within Blaine County
	<u>T04N R17E S31</u>	<u>SENN</u>	
	<u>T04N R16E S36</u>	<u>SENE</u>	

Other Provisions Necessary for Definition / Administration of this Water Right:

~~The quantity of water decreed for this water right is not a~~

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 place of use of this water right is entirely on HRS 389.

Explanatory Material: Basis of Claim - Beneficial Use

CERTIFICATE OF MAILING

I certify that on March 19, 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
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

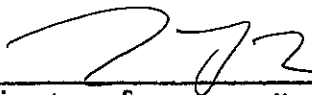
2. Copies to:

JAY C. PACE
Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
P.O. BOX 987
KETCHUM, ID 83340

LISA VIERLING
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE. W., STE. 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form