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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.: 37-13054

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:

 3/14/11
Travis L. Thompson Date
Attorney for Lisa Vierling

OBJECTOR:

 3.8.11
James P. Speck Date
Attorney for Jay C. Pace

IDWR CONCURRENCE:

 3/14/11
Doug Jones Date
Technical Engineer 1

IDWR CONCURRENCE:

 3/14/11
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

Standard Form 5

37-13054

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

Right Number: 37-13054

Name and Address: LISA VIERLING
PO BOX 869
SUN VALLEY, ID 83353

Source: WARFIELD HOT SPRING Tributary: WARM SPRINGS CREEK

Quantity: 0-020 0.040 CFS

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

Priority Date: 0607-30-1970

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	0-020 0.040 CFS
Domestic	01-01 TO 12-31	0-020 0.040 CFS
Recreation	01-01 TO 12-31	0-020 0.040 CFS

Place of Use: Heating Within Blaine County

T04N R16E S36 . SENE

Domestic Within Blaine County

T04N R16E S36 SENE

Recreation Within Blaine County

T04N R16E S36 SENE

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

~~The quantity of water decreed for this water right is not a
determination of historical beneficial use.~~

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 - Beneficial Use

CERTIFICATE OF MAILING

I certify that on March 14, 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:

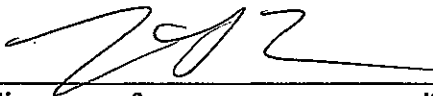
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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

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



Signature of person or attorney mailing the form