STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

April 18, 2011

T. J. Budge
201 East Center Street
P.O. Box 1391
Pocatello, ID 83402-1391

RE: SRBA Subcase No. 29-4445 (Rowlands, Inc.)

Dear T.J.:

I am enclosing an SF5 for the above-referenced subcase. Please review the document, and if it is acceptable, please sign on the indicated signature line and initial the revised recommendation. Please return the original SF5 to me after signature, and I will obtain the remaining signature and file it with the SRBA Court.

If you should have any questions or comments, please don't hesitate to contact me at 287-4815.

Sincerely,

Ray Williams
Paralegal

Enclosure

Natural Resources Division - Water Resources Section
P.O. Box 83720 Boise, Idaho 83720-0098
Telephone: (208) 287-4801, Legal FAX: (208) 287-6700

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. 29-4445**
	)	***Previously Disallowed***
	)	
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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/ OBJECTOR:
Rowlands, Inc.

_____
Thomas J. Budge Date
Attorney for Claimant/Objector

IDWR Concurrence:

Michael Holliday	Date
Senior Water Resource Agent	

Chris Bromley	4/18/11 Date
Deputy Attorney General	
Attorney for IDWR	

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-4445

NAME AND ADDRESS: ROWLANDS INC
1141 ROWLAND RD
POCATELLO ID 83204-7416

SOURCE: SPRING TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.250 CFS

PRIORITY DATE: 06/01/1967

POINT OF DIVERSION:

T06S R34E S7 SENWNE Lot 2 Within POWER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
INDUSTRIAL	01/01 12/31	0.250 CFS

Use of water under this right shall be non-consumptive.

Industrial use is in a milk processing plant. CB

PLACE OF USE: INDUSTRIAL in POWER County

T06S R34E S07 Lot 2 NWNE

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 - Beneficial Use

CERTIFICATE OF MAILING

I certify that on _____, 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:

   ROWLANDS, INC.
   Represented by:
   THOMAS J. BUDGE
   201 E. CENTER ST.
   P.O. BOX 1391
   POCATELLO, ID 83204-1391

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

_____
Signature of person or attorney