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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	)	Subcase No. 27-35D
	)	Split into 27-35A & 27-35B
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.

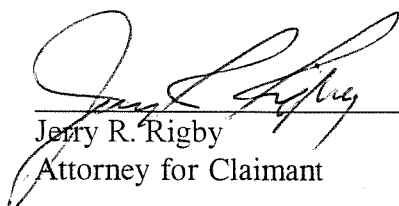
The parties and IDWR agree and stipulate that the elements of this water right should be disallowed. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

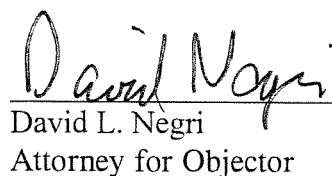
CLAIMANT:

Eastern Idaho Water Company

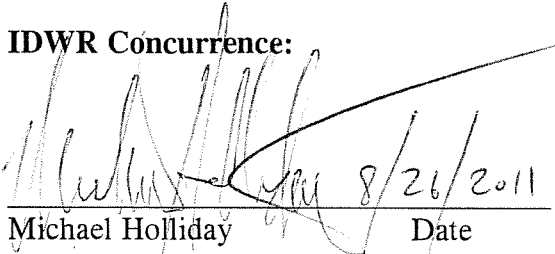
OBJECTOR:

Bureau of Land Management

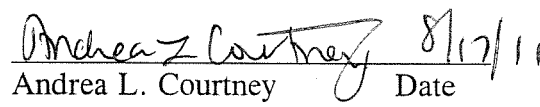

Jerry R. Rigby 8-6-11
Attorney for Claimant Date


David L. Negri 9/9/11
Attorney for Objector Date

IDWR Concurrence:


Michael Holliday
Water Rights Supervisor

8/26/2011
Date


Andrea L. Courtney
Deputy Attorney General
Attorney for IDWR

8/17/11
Date

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
27-35D	EASTERN IDAHO WATER COMPANY 279 N 400 E BLACKFOOT ID 83221	Disallowed	Recommended as Right Nos. 27-35A and 27-35B.

Jll

AM

MWA

DW

CERTIFICATE OF MAILING

I certify that on 9/9, 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:

EASTERN IDAHO WATER COMPANY
Represented by:
JERRY R. RIGBY
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

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

Brandon Anderson
Signature of person or attorney