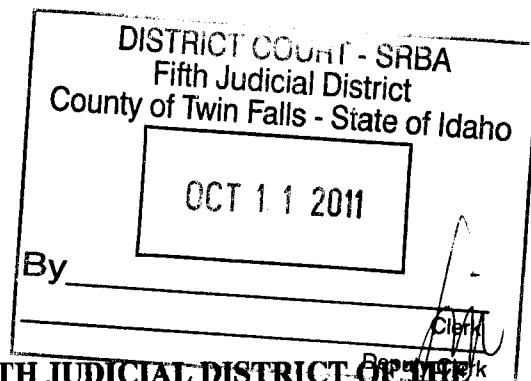




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No. 37-7234

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

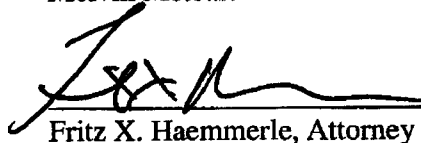
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

Arminda Metcalf
Melvin Metcalf


Fritz X. Haemmerle, Attorney

10/6/11
Date

IDWR Concurrence:

STANDARD FORM 5 - 37-7234

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

RIGHT NUMBER: 37-7234

NAME AND ADDRESS:

ARMINDA METCALF
62 TOWNSEND GULCH RD
BELLEVUE ID 83313

MELVIN L METCALF
62 TOWNSEND GULCH RD
BELLEVUE ID 83313

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.140 CFS
24.500 AFY

~~0.130 CFS~~
~~14.700 AFY~~

PRIORITY DATE:

05/31/1973

POINT OF DIVERSION:

T01N R18E S2 Lot 1 SWNE
Within BLAINE County

~~T01N R18E S2 Lot 2 SWNE~~
~~Within BLAINE County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

0.140 CFS 24.50 AFY
~~0.130 CFS 14.70 AFY~~

PLACE OF USE:

IRRIGATION within BLAINE County

T01N R18E S02 Lot 2 NWNE 7.0

~~T01N R18E S02 Lot 2 NWNE 4.2~~

7 ACRES TOTAL

4.2 ACRES TOTAL

Right Nos. 37-7234 and 37-10667 are limited to the irrigation of a combined total of 7 acres in a single irrigation season.

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.

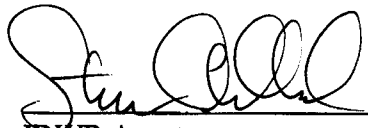
~~The remainder of this right was forfeited for non-use from 1980 to 1987.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

The remainder of this right was forfeited for non-use from 1980 to 1987.


IDWR Agent 10/7/11 Date


Deputy Attorney General, IDWR 10/6/11 Date

CERTIFICATE OF MAILING

I certify that on October 7th, 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:

~~ARMINDA~~ METCALF
MELVIN L & ~~ARMINDA~~ METCALF
MELVIN L METCALF

Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333
Phone: 208-578-0520

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


Signature of person or attorney mailing the form