

United States
Department of the Interior
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Trail Creek
Tributary: Antelope Creek

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

3. The quantity of water used in cubic feet per second or the
quantity of water stored in acre-feet per year is: .05 cfs

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: June 28, 1934

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT.

5. The legal description of point(s) of diversion is; if the
claim is for an instream flow, then a legal description of the
beginning and ending points of the claimed instream flow:

This is a claim for an instream flow. The beginning and ending
points are as follows:

Beginning Point--T.4N, R.24E, Section 14, NENE, Butte County
Ending Point--T.4N, R.24E, Section 11, NWSE, Butte County

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: Stockwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is:
January 1 through December 31

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

8. The legal description of the place of use or of the reservation is:

T.4N, R.24E, Section 11, NWSE, Butte County.
T.4N, R.24E, Section 11, SWSE, Butte County.
T.4N, R.24E, Section 14, NENE, Butte County.

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

9. The annual volume of consumptive use is: De Minimis

Required Statement: This amount accurately reflects the annual volume of water consumed.

10. Other matters necessary to define this water right

This right and other rights common to the same grazing allotment shall be limited to the quantity of water beneficially used by the number of stock within the allotment. BLM Record ID = 3403488116

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

I have read this form and know its contents and that the
statements are true to the best of my knowledge and belief.

Names & Addresses of Objector:

Names: John D. King
Merle M. King
Address: HC 60, Box 280
Moore, ID 83255

John D. King Aug. 21, 1995
John D. King Date

Merle M. King Aug. 21, 1995
Merle M. King Date

Names & Addresses of Claimant

Name: United States through
Department of Justice

Address: 601 Pennsylvania Ave., NW
City/State/Zip: Washington, D.C. 20004
Attorneys of Record: Daria J. Zane

R. Lee Leininger
William Ferry

Daria J. Zane 8/17/95
Attorney's Signature Date

AJ58564P

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

DATE: NOV-17-1992
PAGE: A-1210

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: TRAIL CREEK

TRIBUTARY: ANTELOPE CREEK

34-06151

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

06/28/1934 STOCKWATER

01-01 12-31

.05

CFS

BENEFICIAL USE

TOTAL QUANTITY:

.05

CFS

NON-IRRIGATION USES:
STOCKWATER, 4 HORSES, 100 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT
POINT OF DIVERSION:
TOWN R24E S14

PLACE OF USE: STOCKWATER

WEME (B)
WUSE (E)

TOWN R24E S11

WUSE

SUSE

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.
BLM RECORD ID = 3403408116

Exh. b. 1

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on 21 Aug., 1995, 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:

Department of Justice
C/O Boise Adjudication Team
380 Park Center Blvd. - Suite 330
Boise, Idaho 83706

John D. & Merle M. King
HC 60, Box 280
Moore, Idaho 83255

John D. King
Merle M. King

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. 34-04151
	)	
Case No. 39576	)	STIPULATION
	)	
	)	

DESCRIPTIVE SUMMARY

This is a stipulation to resolve the objection to water right number 34-04151.

STIPULATION

To resolve the dispute over the above-captioned water right, the United States of America (the claimant), and John and Merle King (the objectors), stipulate and agree that:

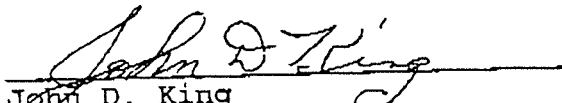
1. Exhibit 1 to the Standard Form 5 for water right no. 34-04151, attached hereto and incorporated by reference herein, sets forth the description of the water right as agreed by the parties. All decrees, whether partial or final, should describe the water right as shown on Exhibit 1 to the Standard Form 5.
2. The Standard Form 5 and this stipulation have been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation, and all parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest or be used in any legal proceeding, and that this agreement is

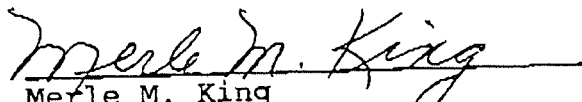
not and shall not be used as precedent for any other claim to a water right.

3. All parties agree to bear their own costs and attorney's fees in connection with this matter.

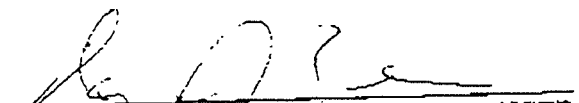
4. The Standard Form 5 and this stipulation were entered into and executed voluntarily by all parties in good faith, and without any fraud, misunderstanding, overreaching, misrepresentation, duress, or undue influence whatsoever.

Dated this 21 day of Aug., 1995.


John D. King
Objector


Merle M. King
Objector

Dated this 17 day of August, 1995.


DARIA J. ZANE/R. LEE LEININGER
Attorneys
General Litigation Section
Env. & Natural Resources Div.
U.S. Department of Justice