

**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. 63-09457
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

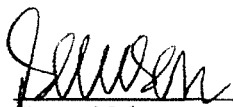
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

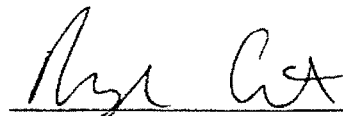
State of Idaho Department of Lands

	9/10/2013
Tyson Nelson	Date
Deputy Attorney General	
Attorney for IDL	

IDWR Concurrence:

 9/12/13

Steve Clelland Date
Senior Water Resource Agent

 9/12/13

Meghan Carter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-9457

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST STE 103
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SPRING TRIBUTARY: CHERRY GULCH CREEK

QUANTITY: 0.100 AFY
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/26/1980

POINT OF
DIVERSION: ~~T01N R06E S17 N4W4 Within ELMORE County~~ T01N R06E S8 SESE Within ELMORE County

T/K
MC

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE:	PERIOD OF USE:	QUANTITY:
	STOCKWATER STORAGE	01/01 12/31	0.10 AFY
	STOCKWATER FROM STORAGE	06/01 10/31	0.10 AFY

Sn

PLACE OF USE: STOCKWATER FROM STORAGE within ELMORE County
T01N R06E S08 SESE ~~T01N R06E S17 N4W4~~ T01N R06E S17 NENE

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 - License

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

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

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

CERTIFICATE OF MAILING

I certify that on NOVEMBER 26, 2013, 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:

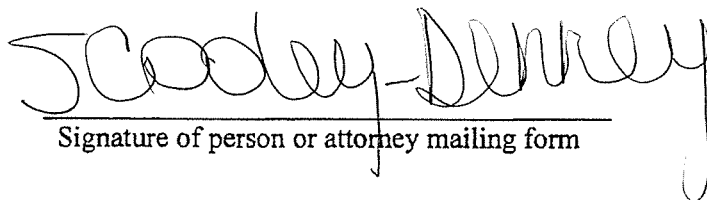
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Copies to:

STATE OF IDAHO DEPT OF LANDS
Represented by:
STATE OF IDAHO
JRW BUILDING, SECOND FLOOR
700 W STATE ST, PO BOX 44449
BOISE, ID 83711-4449

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



Signature of person or attorney mailing form



RECEIVED

DEC 02 2013

DEPARTMENT OF
WATER RESOURCES

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

November 26, 2013

Diana Delaney
Snake River Basin Adjudication District Court
253 3rd Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: Subcase No. 63-09457 (State of Idaho Department of Lands)

Dear Diana:

Please find enclosed for filing a fully executed SF5 and IDWR Recommendations for the above-referenced subcase.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Suzy".

SUZY COOLEY-DENNEY, Paralegal
Office of the Attorney General
Idaho Department of Water Resources

Enclosures

cc: Tyson Nelson, DAG (IDL)
Director, IDWR