

**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

Case No. 39576

Subcase No. 63-33991

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.

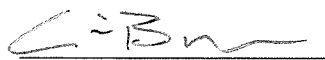
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Janis Wroten-Graham

OBJECTOR:

M3 Eagle LLC

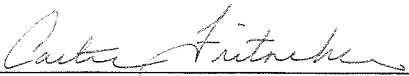
 4/15/15

Christopher M. Bromley Date
Attorney at Law

 4/14/15

Michael P. Lawrence Date
Attorney at Law

IDWR Concurrence:

 4-16-15
Carter Fritschle
Date
Manager, Adjudication Section

 4/16/15
Meghan Carter
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on April 17, 2015, 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:

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

JANIS WROTEN-GRAHAM
Represented by:
CHRISTOPHER M. BROMLEY
380 S 4TH STREET, SUITE 103
BOISE, ID 83702

M3 EAGLE LLC
Represented by:
MICHAEL P. LAWRENCE
601 W BANNOCK STREET
PO BOX 2720
BOISE, ID 83701-2720



Signature of person or attorney mailing form

04/06/2015

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

RIGHT NUMBER: 63-33991

NAME AND ADDRESS: JANIS WROTEN-GRAHAM
8603 W HIGH RIDGE LN
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 08/21/2001

POINT OF
DIVERSION: T05N R01W S28 SWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER in ADA County
T05N R01W S28 SWSE
DOMESTIC in ADA County
T05N R01W S28 SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, the source for this water right is ground water no deeper than 415 feet below ground surface, and ground water was first diverted under this right at a depth no greater than 415 feet below ground surface from the well identified in IDWR's records by Well Tag No. D0018937, located in SWSE of Section 28, T05N, R01W, B.M.

UPL
CB
MR

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 quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. S0328449100

Property is also known as Lot 2, Block 1, Kling Estates Subdivision.