

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. 25-12923

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

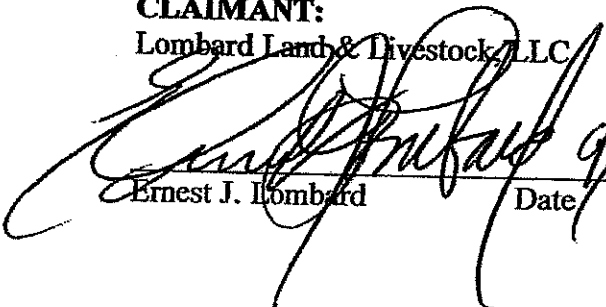
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

Lombard Land & Livestock LLC

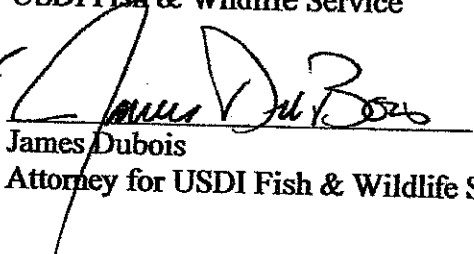

Ernest J. Lombard

Date

9/27/09

OBJECTOR:

USDI Fish & Wildlife Service


James Dubois

Attorney for USDI Fish & Wildlife Service

09/26/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 25-12923

NAME AND ADDRESS: LOMBARD LAND & LIVESTOCK LLC
3590 N BALLANTYNE LN
EAGLE ID 83616

SOURCE: WILLOW CREEK

TRIBUTARY: GRAYS LAKE

QUANTITY: 3.500 CFS

PRIORITY DATE: 10/31/1904

POINT OF DIVERSION:
T03S R43E S35 SWSWNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	3.500 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03S R43E S33 Lot 1 NENE	22.0	T03S R43E S33 Lot 2 NWNE	3.5
T03S R43E S34 NWNE	5.8	T03S R43E S34 SWNE	37.0
T03S R43E S34 SENE	2.8	T03S R43E S34 NENW	0.5
T03S R43E S34 NWNW	32.0	T03S R43E S34 Lot 1 SWNW	16.0
T03S R43E S34 SENW	34.0	T03S R43E S34 Lot 2 NESW	19.8
~~T03S R43E S34 NWSE~~	~~2.8~~		

174.6 ACRES TOTAL

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 - Beneficial Use

IDWR Concurrence:

Ernest Carlsen 9/27/05
Ernest Carlsen Date
IDWR Adjudication Supervisor

Chris M. Bromley 9/27/05
Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

Delivery
CERTIFICATE OF MAILING

I certify that on Sept. 27, 2005, *hand-delivered* 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:

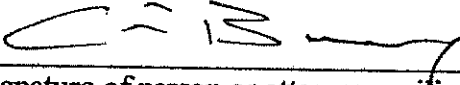
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

LOMBARD LAND & LIVESTOCK LLC
3590 N BALLANTYNE LN
EAGLE, ID 83616



Signature of person or attorney mailing the form