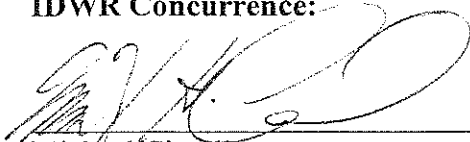


DEPARTMENT OF
WATER RESOURCES

STIPULATED ELEMENTS OF A WATER RIGHT

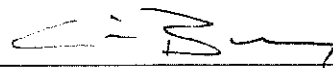
1

IDWR Concurrence:



Michael Ciscell

Date



Chris M. Bromley
Deputy Attorney General

8/1/06

Date

07/31/2006

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

RIGHT NUMBER: 69-11521

NAME AND ADDRESS: SOULEN LIVESTOCK CO
1760 FAIRMONT DR
WEISER ID 83672

SOURCE: STURGILL CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 4.00 CFS

PRIORITY DATE: 12/31/1952

The appropriator shall exercise this right in a manner that recognizes the historic practice that the use of water for power generation is incidental to the rights of others to the use of water for other purposes. The appropriator shall not make a delivery call for hydropower generation except as against junior hydropower rights.

POINT OF
DIVERSION:

T15N R06W S10 SESESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/15 10/31

~~1.40 CFS~~ 1.330 CFS

POWER

01/01 12/31

4.000 CFS

PLACE OF USE:

IRRIGATION Within WASHINGTON County

T15N R06W S03 Lot 2 NWNE 0.60 T15N R06W S03 SWNE 11.00

~~T15N R06W S03 SWSE 3.40~~

T15N R06W S03 Lot 3 NENW 4.60 T15N R06W S03 SENW 6.80

T15N R06W S03 NWSE 7.30 T15N R06W S03 SESE 3.30

T15N R06W S10 NENE 6.30 T15N R06W S10 SENE 12.00

T15N R06W S10 NESE 7.30 T15N R06W S10 SESE 1.10

T16N R06W S33 NESE 0.30 T16N R06W S34 NWSW 3.90

T16N R06W S34 SWSW 2.10

~~70.0~~ 66.6 ACRES TOTALPOWER Within WASHINGTON County

T15N R06W S03 SWNE

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

This right is renumbered from former right 67-10049.

SF5 69-11521

CERTIFICATE OF MAILING

I certify that on 8/24, 2006, 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:

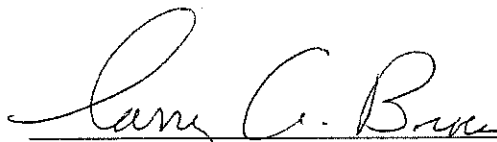
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDI Bureau of Land Management
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Soulen Livestock Co.
1760 Fairmont Dr
Weiser, ID 83672

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form