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DEPARTMENT OF
WATER RESOURCES

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. 63-31837
)
) Standard Form 5
Case No. 39576)
) 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 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 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:

B&B Properties Limited Partnership

Joseph C. Stadler 7-15-06
Joseph C. Stadler JD Date
Manager/Partner

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 8/23/06
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

[Signature] 10-03-06
Date

IDWR CONCURRENCE:

Nicholas B. Spencer 7-23-06
Nicholas B. Spencer (as to form) Date
Deputy Attorney General

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

RIGHT NUMBER: 63-31837

NAME AND ADDRESS: B & B PROPERTIES LIMITED PARTNERSHIP
15711 HWY 55
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.880 CFS
648.00 AFY

FWP 97 NBS 1/7

Right Nos. 63-31837 and 63-31838 are limited to a total combined diversion rate of 3.52 cfs and to a total combined annual diversion volume of 792.0 AF.

PRIORITY DATE: 09/02/1964

POINT OF

DIVERSION:	T05N R01E S25	NENW	Within ADA County
	T05N R01E S25	SWSWNW	Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	2.880 CFS 648.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S24	SWSW	4.00
T05N R01E S24	SESW	7.00
T05N R01E S25	NENW	12.00
T05N R01E S25	NWNW	31.00
T05N R01E S25	SWNW	21.00
T05N R01E S25	SENW	0.50
T05N R01E S26	NENE	2.00
T05N R01E S26	SWNE	0.50
T05N R01E S26	SENE	30.00
T05N R01E S26	NESE	24.00
T05N R01E S26	NWSE	9.00
T05N R01E S26	SWSE	3.00

144 ACRES TOTAL

USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND.

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

FWP

Place of use is also known as Shadow Valley Golf Course.

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

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

9/11 NBS

JH

SP

CERTIFICATE OF MAILING

I certify that on OCTOBER 3, 2006 mailed the original and copies of this form, including all attachments, 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. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

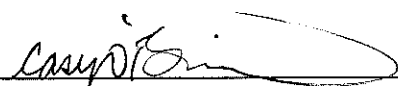
IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

B&B Properties Limited Partnership
15711 Hwy 55
Boise, Idaho 83714


~~Joseph C. Stadler~~
9700 Brookside Lane
Boise, Idaho 83714



Signature of person or attorney mailing the form