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APR 18 2007

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. <u>74-01565</u>
	)	
	)	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:

McFarland Livestock Company, Inc.

Tex J. Kauer 3-28-07
Tex J. Kauer, President Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 4/18/07
Larry A. Brown *Fwp* Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Christopher M. Bromley 4-5-07
Christopher M. Bromley Date

IDWR CONCURRENCE:

Christopher M. Bromley 4/5/07
Christopher M. Bromley Date
Deputy Attorney General

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

RIGHT NUMBER: 74-1565

NAME AND ADDRESS: MC FARLAND LIVESTOCK COMPANY INC
C/O TEX J KAUER
PO BOX 50
LEMHI ID 83465

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 3.970 CFS

PRIORITY DATE: 11/22/1887

POINT OF DIVERSION: T17N R24E S25 NENE Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	3/15 11/15	3.970 CFS

PLACE OF USE:	IRRIGATION		Within LEMHI County
	T17N R24E S14	NENE	5.00
	T17N R24E S14	NWNE	29.00
	T17N R24E S14	SWNE	19.00
	T17N R24E S14	SENE	37.00
	T17N R24E S14	NENW	3.00
	T17N R24E S14	NESE	31.00
	T17N R24E S14	NWSE	8.00
	132 ACRES TOTAL		

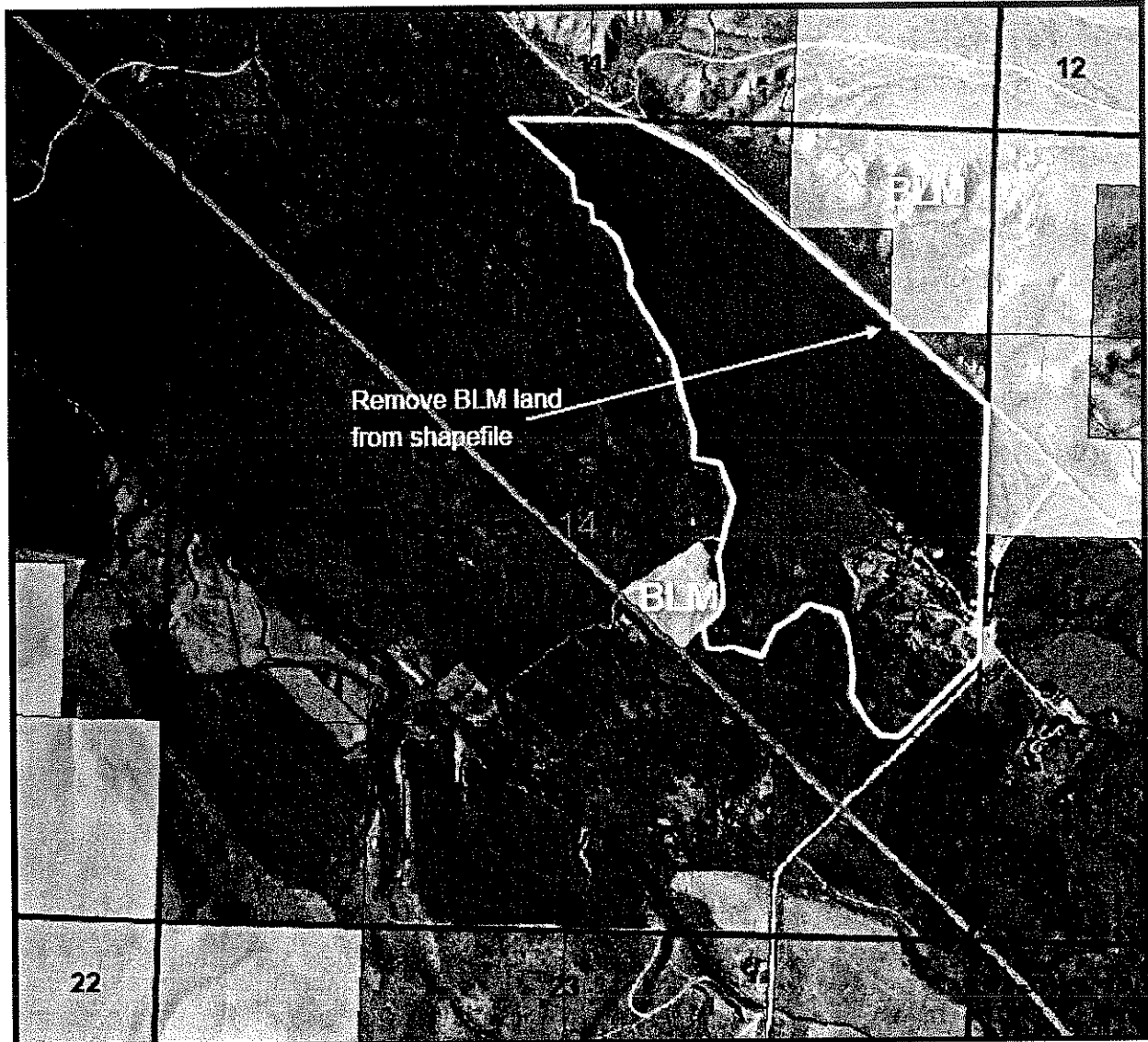
This right authorizes the irrigation of 132.2 total acres.

Place of use does not include federal public lands.

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 - Decreed

74-1565, Mc Farland Livestock Company



Place of Use

Land Ownership

☐	BLM
☐	PRIVATE
☐	STATE
☐	USFS

N

1:10,858

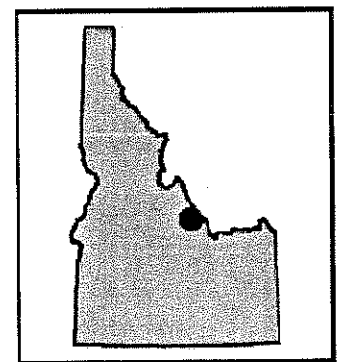
0 0.05 0.1 0.2 0.3 0.4 Miles

U.S. Department of the Interior
Bureau of Land Management
1501 N. State St.
Salt Lake City, UT 84143

For more information, contact the
Bureau of Land Management
for use of the data for purposes
not intended by the BLM.
May 2000 (Rev. 03/99)

BLM Data provided by
Bureau of Land Management
Salt Lake City, UT

Scale: 1:10,858



CERTIFICATE OF MAILING

I certify that on 4-13, 2007 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:

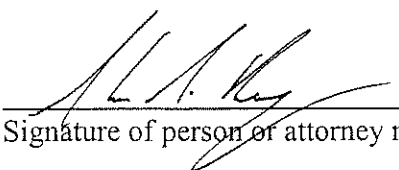
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

McFarland Livestock Company, Inc.
c/o Tex J. Kauer, President
P.O. Box 50
Lemhi, Idaho 83465



Signature of person or attorney mailing the form