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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. 74-07305
)
) 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 3-18-07
Tex J. Kauer, President Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 4/3/07
Larry A. Brown FWPB Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Carl Fritsch 4-5-07
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: 74-7305

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

SOURCE: GROUNDWATER TRIBUTARY:

QUANTITY: 0.590 CFS
288.00 AFY

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Rights 74-01560, 75-02159 and 74-07305 when combined shall not exceed a total annual maximum diversion volume of 639.0 af at the field headgate, and the irrigation of 182.7 acres.

PRIORITY DATE: 06/07/1990

POINT OF
DIVERSION: T16N R25E S8 SWNWNE Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03/15 11/15	0.590 CFS 288.00 AFY

PLACE OF USE:	IRRIGATION		Within LEMHI County
	T16N R25E S05	NESW	4.60
	T16N R25E S05	SESW	23.00
	T16N R25E S05	NWSE	15.00
	T16N R25E S05	SWSE	21.00
	T16N R25E S05	SESE	35.00
	T16N R25E S08	NENE	34.00
	T16N R25E S08	NWNE	37.00
	T16N R25E S08	NENW	7.10
	176.7 ACRES TOTAL		

This right is limited to the irrigation of 150 acres within the place of use described above in a single irrigation season.

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 - License

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:

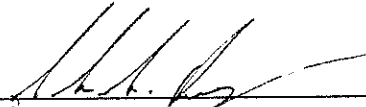
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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