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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.: 74-1562

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:

McFarland Livestock Company, Inc.

Tex J. Kauter 5-4-07
Tex J. Kauter Date
President

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 5/4/07
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

Ernest Carlsen 4-23-07
Ernest Carlsen Date
Water Resource Program Manager

IDWR CONCURRENCE:

Christopher M. Bromley 4/24/07
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 74-1562

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

T.K. GNC
FWP CB
Dw

SOURCE: LEMHI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 4.060 CFS

PRIORITY DATE: 04/01/1936

POINT OF
DIVERSION: T17N R25E S32 MNW Rediversion Within LEMHI County
T17N R25E S32 NENE Injection Within LEMHI County
T17N R25E S33 NENE Within LEMHI County
PURPOSE AND

PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	3/15 11/15	4.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T17N R24E S14	SNNW	2.00	T17N R24E S14	NENE	6.00
T17N R24E S14	NWSE	37.00	T17N R24E S14	SWSE	27.00
T17N R24E S14	SESE	29.00	T17N R24E S14	SWSE	16.00
T17N R24E S15	NENE	5.00	~~T17N R24E S15~~	~~SESE~~	~~3.00~~

122 ACRES TOTAL

Place of use does not include federal public lands

This right authorizes the irrigation of 121.5 total acres.

USE OF THIS RIGHT WITH RIGHT NO. 74-1556 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 284.9 ACRES IN A SINGLE
IRRIGATION SEASON.

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(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CERTIFICATE OF SERVICE

I certify that on May 8, 2007, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

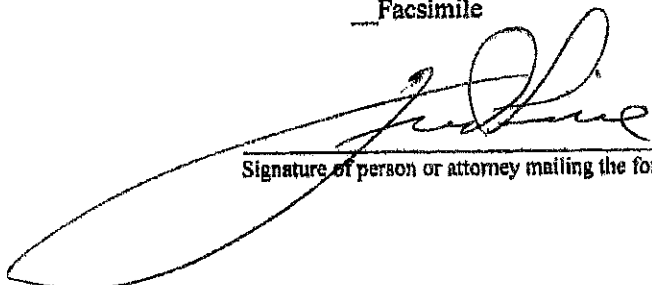
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

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

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form