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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

MAY 17 2007
DEPARTMENT OF
WATER RESOURCES

2007 MAY 16 AM 10 45

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.: 74-7185
)
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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:

Beyeler Ranches, LLC

Merrill Beyeler 9 May 2007
Merrill Beyeler Date

For Beyeler Ranch, LLC

OBJECTOR:

United States on behalf of the
Bureau of Land Management

David L. Negri 5/9/07
David L. Negri Date

Attorney, U.S. Department of Justice

IDWR CONCURRENCE:

Ernest Carlsen 5-9-07.
Ernest Carlsen Date
Water Resource Program Manager

IDWR CONCURRENCE:

C. M. Bromley 5/9/07
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF SERVICE

I certify that on May 14, 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

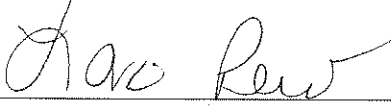
☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

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

Beyeler Ranches, LLC
c/o Merrill and Sharal Beyeler
P.O. Box 62
Leadore, ID 83464

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



Signature of person or attorney mailing the form

01/19/2006

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

RIGHT NUMBER: 74-7185
NAME AND ADDRESS: BEYELER RANCHES LLC
C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID 83464

SOURCE: GROUND WATER
QUANTITY: 2.000 CFS
720.00 AFY

TRIBUTARY:

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

PRIORITY DATE: 05/31/1983
POINT OF
DIVERSION: T16N R26E S27 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	2.000 CFS 720.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S27	NWNE	1.00	T16N R26E S27	SWNE	11.00	<i>ENC</i>
T16N R26E S27	NENW	2.00	T16N R26E S27	NWNW	1.00	
T16N R26E S27	SWNW	40.00	T16N R26E S27	SENE	40.00	<i>CR</i>
T16N R26E S27	NESW	38.00	T16N R26E S27	NWSW	23.00	
T16N R26E S27	NWSE	12.00	T16N R26E S28	NENE	1.00	<i>MB</i>
T16N R26E S28	SENE	39.00	T16N R26E S28	NESE	30.00	
T16N R26E S28	NWSE	2.00				<i>DN</i>

240 ACRES TOTAL

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