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DEPARTMENT OF  
NATURAL RESOURCES

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

July 25, 2007

Clerk of the SRBA District Court  
PO Box 2707  
Twin Falls, ID 83303-2707

RE: Subcase No: 63-4848

To the Clerk of the SRBA District Court:

Enclosed please find a Standard Form 5 for filing with the court. Since the parties unknowingly circulated duplicate SF 5s, there are various signature pages resulting in the document being signed in counterparts.

If you have any questions, please do not hesitate to call me at 208-287-4814.

Very Truly Yours,

A handwritten signature in cursive script that reads "Becky Harvey".

Becky Harvey  
Paralegal

/bh

Enclosure

FILE COPY

DISTRICT COURT - SRBA  
TWIN FALLS CO. IDAHO  
FILED JUL 27 AM 10 20  
2007 JUL 27 AM 10 20

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JUL 09 2007  
DEPARTMENT OF  
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COURT OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase No. 63-4848

) STANDARD FORM 5

) STIPULATED ELEMENTS OF A  
) WATER RIGHT

2007 JUL 27 AM 10 20

FILED  
DISTRICT COURT - SRBA  
TWIN FALLS CO. IDAHO

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 recommendation. There shall be a remark in source portion of this water right which provides: "The source of this water right is waste water. The wasting of water may be discontinued at any time."

CLAIMANT(s):

Barson Farms

OBJECTOR:

Nampa & Meridian Irrigation District

Vaughn Barson - 6-23-07  
Von Barson Date

S. Bryce Farris 6/28/07  
S. Bryce Farris Date  
Attorney

Concurrence of the United States Bureau of Reclamation:

  
\_\_\_\_\_  
David Gehlert

7/6/07  
\_\_\_\_\_  
Date

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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JUL 13 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. 63-04848     |
|                | ) |                          |
| Case No. 39576 | ) |                          |
|                | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

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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:**

Barson Farms

Vaughn Barson 7-12-07  
Vaughn Barson                      Date  
Title:

**OBJECTOR(s):**

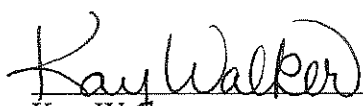
Nampa & Meridian Irrigation Dist.

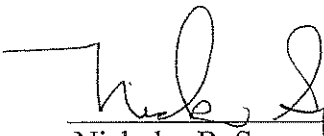
USDI Bureau of Reclamation

\_\_\_\_\_  
Bryce Farris                      Date  
Attorney for Objector

\_\_\_\_\_  
David J. Gehlert, USDOJ              Date  
Attorney for Objector

**IDWR Concurrence:**

 6-26-07  
\_\_\_\_\_  
Kay Walker                      Date  
Senior Water Resource Agent

 6-25-07  
\_\_\_\_\_  
Nicholas B. Spencer              Date  
Deputy Attorney General  
Attorney for IDWR

SF5 Right No. 63-4848

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

RIGHT NUMBER: 63-4848

NAME AND ADDRESS: BARSON FARMS  
5547 W OVERLAND  
MERIDIAN ID 83642

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

The source of this water right is waste water. The wasting of water may be discontinued at any time.

NBS  
lcw  
B

QUANTITY: 0.100 CFS

PRIORITY DATE: 08/01/1949

POINT OF DIVERSION:

T03N R01W S21 SENW Within ADA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.100 CFS       |

PLACE OF USE: IRRIGATION in ADA County

T03N R01W S21 SENW 5.00

5 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 - Beneficial Use

Use of this right is combined with water from Nampa Meridian Irrigation District.

SF5 Right No. 63-4848

### CERTIFICATE OF MAILING

I certify that on July 25, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies postage prepaid and addressed as follows:

1. Original to:

Clerk of the Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, Idaho 83303-2707

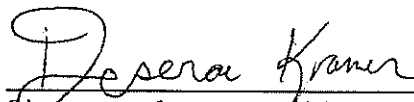
2. Copies to:

United States of America  
US Department of Justice  
Environment and Natl' Resources  
550 West Fort Street, MSC O33  
Boise, ID 83724

Barson Farms  
5547 W. Overland Road  
Meridian, ID 83642

S. Bryce Farris  
Ringert Clark Chartered  
P.O. Box 2773  
Boise, ID 83701

IDWR Repository  
P.O. Box 83720  
Boise, Idaho 83720



Signature of person mailing the form