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AUG 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. 74-01839
)
)
) Standard Form 5
)
) Case No. 39576
)
)
) STIPULATED ELEMENTS
_____) OF A WATER RIGHT

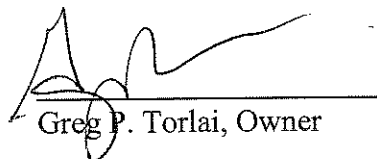
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:

Far Niente Ranch, LLC

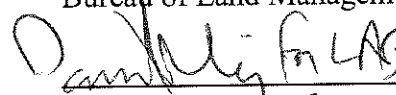


Greg P. Torlai, Owner

8/1/07
Date

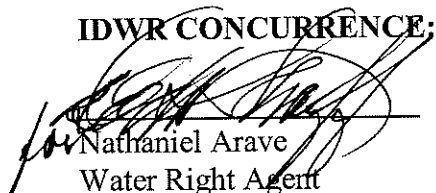
OBJECTOR:

United States on behalf of the
Bureau of Land Management



Larry A. Brown *FWP* 8/9/07
Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

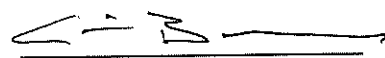
IDWR CONCURRENCE:



Nathaniel Arave
Water Right Agent

8/3/07
Date

IDWR CONCURRENCE:



Christopher M. Bromley
Deputy Attorney General

8/3/07
Date

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

RIGHT NUMBER: 74-1839

NAME AND ADDRESS: FAR NIENTE RANCH LLC
~~2750 ROBERTS RD~~
~~STOCKTON CA 95206~~

P.O. BOX 135
HOLT, CA 95234

SOURCE: YEARIAN CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.280 CFS

Not to exceed 4.5 cfs when combined with right 74-311

PRIORITY DATE: 01/01/1909

POINT OF
DIVERSION: T18N R24E S35 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.280 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T17N R24E S02 Lot 3 NENW	1.00	T17N R24E S03 Lot 1 NENE	4.00
T17N R24E S03 SESE	5.00	T17N R24E S03 SESE	4.00

14 ACRES TOTAL

Place of use does not include federal public lands

This right authorizes the irrigation of 14.1 total acres.

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

CERTIFICATE OF MAILING

I certify that on Aug 9, 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

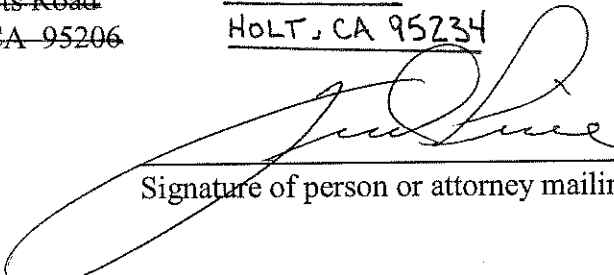
IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

Far Niente Ranch, LLC
~~2750 Roberts Road~~
~~Stockton, CA 95206~~

P.O. BOX 135
HOLT, CA 95234



Signature of person or attorney mailing the form