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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. 63-3321A

Case No. 39576

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/ OBJECTOR:

Cartwright Ranch, LLC

John M. Marshall 9/26/07
Date
Attorney for Claimant/Objector

STANDARD FORM 5 – Water Right No. 63-3321A

IDWR Concurrence:

<u>Vicky Music</u>	<u>9/25/07</u>	<u>Nicholas B. Spencer</u>	<u>9-25-07</u>
Vicky Music	Date	Nicholas B. Spencer	Date
Senior Water Resource Agent		Deputy Attorney General	
		Attorney for IDWR	

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

RIGHT NUMBER: 63-3321A

NAME AND ADDRESS:

CARTWRIGHT RANCH LLC
485 E RIVERSIDE DR.
STE 100
EAGLE ID 83616

CARTWRIGHT RANCH LLC
3101 N. CENTRAL AVE STE. 1390
PHOENIX AZ 85012

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.640 CFS
139 500 AFY

0.630 CFS

The rights listed below are limited to a total combined diversion rate of 2.53 cfs.
Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

Rights 63-3321A and 63-3285A when combined shall not exceed a total diversion
rate of 1.20 cfs, a total annual maximum diversion volume of 428.28 af.

The rights listed below are limited to a total combined diversion rate of 2.1 cfs.
Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

Rights 63-3321A and 63-3285A when combined shall not exceed a total diversion
rate of 0.75 cfs, a total annual maximum diversion volume of 100 af, and the
irrigation of 42 acres.

PRIORITY DATE: 12/03/1962

POINT OF DIVERSION:

104N R02E S5 SESE
Within ADA County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

03/15 11/15

0.640 CFS

139 50 AFY

0.630 CFS

139 50 AFY

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

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 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 ADA County

T04N R02E S05 SWNE 13 0

T04N R02E S05 SESE 4 0

T04N R02E S05 SENW 2 0

T04N R02E S05 NESE 10 0

T04N R02E S05 NWSE 2 0

31 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 131.6 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.

Right Nos. 63-3285A and 63-3321A are limited to the irrigation of a combined total of 110.6 acres in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 55.1 acres in a single irrigation season. Combined Right Nos.: 63-3285A, 63-3321A, 63-5207.~~

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

Right 63-3285A is also diverted through the point of diversion described above

PARCEL NO S0605131215

CERTIFICATE OF MAILING

I certify that on October 1, 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:

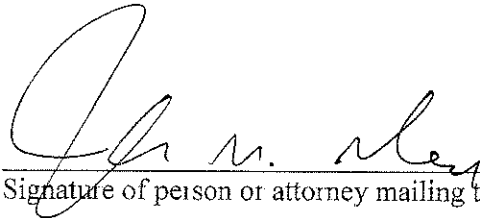
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

CARTWRIGHT RANCH LLC
Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form