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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.: 37-13355

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:

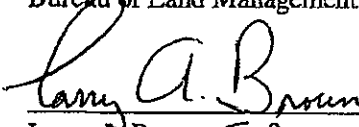
Bauscher Ranch, Inc.


Randy Bauscher
Bauscher Ranch, Inc.

4/7/08
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management


Larry A. Brown
Attorney, U.S. Department of Justice
Environment and Natural Resources

4/2/2008
Date

IDWR CONCURRENCE:

Carter Fritschle 3-25-08
Carter Fritschle Date
Section Manager Adjudication Bureau

IDWR CONCURRENCE:

Andrea Z. Bromley 3/25/08 for
Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

03/21/2008

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

RIGHT NUMBER: 37-13355

NAME AND ADDRESS: BAUSCHER RANCH INC
C/O RANDY BAUSCHER
111 PELICAN POINT
RUPERT ID 83350

SOURCE: BIG DEER CREEK
CHICKEN CREEK
LITTLE DEER CREEK
POWELL CREEK
UNNAMED STREAM
UNNAMED STREAM
UNNAMED STREAM

TRIBUTARY: DEER CREEK
TRIBUTARY: BIG DEER CREEK
TRIBUTARY: DEER CREEK
TRIBUTARY: SOLDIER CREEK
TRIBUTARY: BIG DEER CREEK
TRIBUTARY: CHICKEN CREEK
TRIBUTARY: LITTLE DEER CREEK
TRIBUTARY: POWELL CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1900

POINT OF DIVERSION:

T01N R14E S12 SENENE Begin of Stream Flow Within CAMAS County
T01N R14E S12 NENWNE Begin of Stream Flow Within CAMAS County
T01N R14E S12 NWNWSW End of Stream Flow Within CAMAS County
T01N R14E S12 SESESW Begin of Stream Flow Within CAMAS County
T01N R14E S12 NESWSE Begin of Stream Flow Within CAMAS County
T01N R14E S13 SWNWE End of Stream Flow Within CAMAS County
T01N R14E S13 SWNWE End of Stream Flow Within CAMAS County
~~T01N R15E S4 NWNWE Lot 3 Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S4 SWNE Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S4 SWNE End of Stream Flow Within CAMAS County~~
~~T01N R15E S4 NENW Lot 3 Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S4 NENW Lot 3 End of Stream Flow Within CAMAS County~~
T01N R15E S4 NWNENW Lot 3 Begin of Stream Flow Within CAMAS County
~~T01N R15E S4 NENWNW Lot 4 Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S4 NWSWNW Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S4 SESW Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S5 SESENE Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S5 NENENW Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S5 NENWNW Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S5 NWNENW Begin of Stream Flow Within CAMAS County~~
T01N R15E S5 SENWSW Begin of Stream Flow Within CAMAS County
~~T01N R15E S5 NWSE Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S5 NWSE Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S5 NWSE End of Stream Flow Within CAMAS County~~
~~T01N R15E S5 SESE End of Stream Flow Within CAMAS County~~
~~T01N R15E S5 SESE Begin of Stream Flow Within CAMAS County~~

AKC
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T01N R15E S5 SESE Begin of Stream Flow Within CAMAS County
~~T01N R15E S6 SWSENE Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S6 NWSENE Begin of Stream Flow Within CAMAS County~~
T01N R15E S6 NWSE Begin of Stream Flow Within CAMAS County
T01N R15E S6 SWSE Begin of Stream Flow Within CAMAS County
~~T01N R15E S7 SESENE Begin of Stream Flow Within CAMAS County~~
T01N R15E S7 SWSE Begin of Stream Flow Within CAMAS County
~~T01N R15E S8 SWSENE Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S8 SWSENE Begin of Stream Flow Within CAMAS County~~
T01N R15E S8 SWNW End of Stream Flow Within CAMAS County
T01N R15E S8 SWSW Begin of Stream Flow Within CAMAS County
T01N R15E S8 SESE Begin of Stream Flow Within CAMAS County
T01N R15E S8 SESE Begin of Stream Flow Within CAMAS County
T01N R15E S9 NENW End of Stream Flow Within CAMAS County
T01N R15E S9 NWSW Begin of Stream Flow Within CAMAS County
T01N R15E S9 NWSW End of Stream Flow Within CAMAS County
T01N R15E S9 NWSW Begin of Stream Flow Within CAMAS County
T01N R15E S17 SWNE Begin of Stream Flow Within CAMAS County
T01N R15E S17 SWNE End of Stream Flow Within CAMAS County
~~T01N R15E S17 NESWNK Begin of Stream Flow Within CAMAS County~~
~~T01N R15E S17 NWSNW End of Stream Flow Within CAMAS County~~
~~T01N R15E S17 SWNESE Begin of Stream Flow Within CAMAS County~~
T01N R15E S18 NWSNW End of Stream Flow Within CAMAS County

ATC
Fwp

JAB

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	04/01 11/30	0.020 CFS

PLACE OF USE:

STOCKWATER in CAMAS County

T01N R14E S12	NENE	T01N R14E S12	NWNE
T01N R14E S12	SWNE	T01N R14E S12	SENE
T01N R14E S12	SWNW	T01N R14E S12	SENE
T01N R14E S12	NWSW	T01N R14E S12	SESW
T01N R14E S12	SWSE	T01N R14E S13	NWNE
T01N R14E S13	NENW	~~T01N R15E S04 Lot 2 NWNE~~	
T01N R15E S04	SWNE	T01N R15E S04 Lot 3 NENW	
~~T01N R15E S04 Lot 4 NWNE~~		~~T01N R15E S04 SWNW~~	
~~T01N R15E S04 SENW~~		~~T01N R15E S04 NESW~~	
~~T01N R15E S04 NWSW~~		T01N R15E S04	SESW
~~T01N R15E S05 Lot 2 NWNE~~		~~T01N R15E S05 SWNE~~	
~~T01N R15E S05 SENE~~		~~T01N R15E S05 Lot 3 NENW~~	
~~T01N R15E S05 Lot 4 NWNE~~		~~T01N R15E S05 SWNW~~	
~~T01N R15E S05 SENW~~		~~T01N R15E S05 NESW~~	

CA

R/D

T01N R15E S05	NWSW	T01N R15E S05	SWSW
~~T01N R15E S05~~	~~NESE~~	~~T01N R15E S05~~	~~NWSE~~
~~T01N R15E S05~~	~~SWSE~~	~~T01N R15E S05~~	~~SESE~~
~~T01N R15E S06~~	~~SENE~~	~~T01N R15E S06~~	~~SENW~~
~~T01N R15E S06~~	~~NESW~~	~~T01N R15E S06~~	~~SESW~~
~~T01N R15E S06~~	~~NESE~~	T01N R15E S06	NWSE
T01N R15E S06	SWSE	T01N R15E S06	SESE
T01N R15E S07	NENE	~~T01N R15E S07~~	~~NENW~~
~~T01N R15E S07~~	~~SENW~~	~~T01N R15E S07~~	~~NESW~~
~~T01N R15E S07~~	~~NWSE~~	T01N R15E S07	SWSE
T01N R15E S07	SESE	~~T01N R15E S08~~	~~NENE~~
~~T01N R15E S08~~	~~SWNE~~	~~T01N R15E S08~~	~~GENE~~
T01N R15E S08	NWNW	T01N R15E S08	SWNW
~~T01N R15E S08~~	~~NWSW~~	T01N R15E S08	SWSW
~~T01N R15E S08~~	~~SESW~~	~~T01N R15E S08~~	~~NESE~~
~~T01N R15E S08~~	~~NWSE~~	T01N R15E S08	SESE
T01N R15E S09	NENW	~~T01N R15E S09~~	~~SWNW~~
T01N R15E S09	NWSW	~~T01N R15E S09~~	~~SWSW~~
T01N R15E S17	NENE	T01N R15E S17	NWNE
T01N R15E S17	SWNE	~~T01N R15E S17~~	~~NENW~~
~~T01N R15E S17~~	~~SENW~~	~~T01N R15E S17~~	~~NESW~~
T01N R15E S18	NWNE	T01N R15E S18	NENW
T01N R15E S18	SENW		

AXC
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 of
 LAB
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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

CERTIFICATE OF SERVICE

I certify that on April 10, 2008, 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

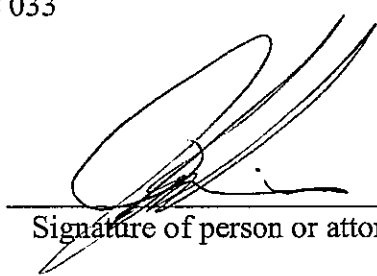
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Bauscher Ranch, Inc.
c/o Randy Bauscher
111 Pelican Point
Rupert, ID 83350

☐ 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