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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

Case No. 39576

Subcase No.: 47-17448

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:

Boulder Ridge Ranch, LLC

Carol Jane George 4/15/08
Carol Jane George Date
for Boulder Ridge Ranch, LLC

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Jacob T. Haseman 04/21/2008
Jacob T. Haseman Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

Douglas Jones 1/24/08
Douglas Jones Date
Technical Engineer 1

IDWR CONCURRENCE:

Nicholas B. Spencer 1-24-08
Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

STANDARD FORM 5

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9:00 AM

01/23/2008

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

RIGHT NUMBER: 47-17448

NAME AND ADDRESS: BOULDER RIDGE RANCH LLC
1434 POLE LINE RD E
TWIN FALLS ID 83301

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 1.760 CFS
359.00 AFY

This right when combined with Twin Falls Canal Co shares shall provide no more than .02 cfs per acre.

PRIORITY DATE: 12/24/1964

POINT OF
DIVERSION:

T09S R14E S12 SENENW Within TWIN FALLS County
T09S R15E S7 SESWNW Lot 2 Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.760 CFS 359.00 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 October 31 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 in TWIN FALLS County

T09S R14E S01 Lot 10 SWSW	0.30	T09S R14E S11	SWNE	0.60	
T09S R14E S11	SENE	23.00	T09S R14E S11	NESE	24.00
T09S R14E S11	NWSE	20.00	T09S R14E S12	SWNE	4.10
T09S R14E S12	NENW	20.00	T09S R14E S12 Lot 1 NWNW		1.70
T09S R14E S12	SWNW	33.00	T09S R14E S12	SENE	21.00
T09S R14E S12	NESW	12.00	T09S R14E S12	NWSW	32.00
T09S R14E S12	NWSE	0.70			

192.4 ACRES TOTAL

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 192.4 acres in a single irrigation season. Combined Right Nos.: 47-17448 and 47-17450.

This right authorizes the irrigation of 90.2 total acres.

[Handwritten signatures and initials]
NBS
BRR LLC

01/23/2006

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

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(5), Idaho Code.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Source is also known as Silo Creek.

Use of this right is combined with water from Twin Falls Canal Co.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 47-2457.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

06
NBS
C.G.D.
BRR LLC

CERTIFICATE OF SERVICE

I certify that on APRIL 21ST, 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

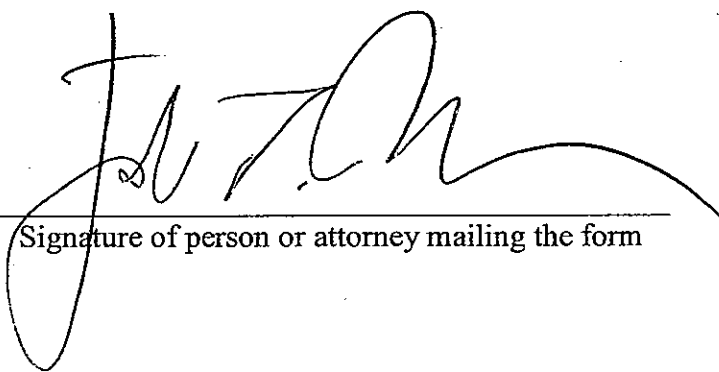
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Boulder Ridge Ranch, LLC
1434 Pole Line Road E.
Twin Falls, Idaho 83301

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83274

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



Signature of person or attorney mailing the form