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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.: 47-17450

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.

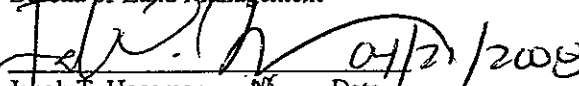
CLAIMANT:

Boulder Ridge Ranch, LLC

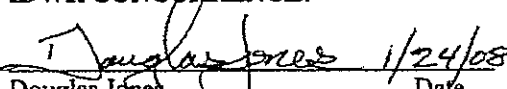

Carol Jane George
for Boulder Ridge Ranch, LLC
Date 15 Apr 08

OBJECTOR:

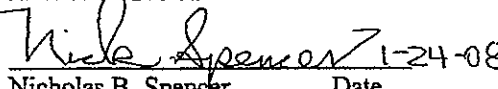
United States on behalf of the
Bureau of Land Management


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

IDWR CONCURRENCE:


Douglas Jones
Technical Engineer I
Date 1/24/08

IDWR CONCURRENCE:


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

01/23/2008

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

RIGHT NUMBER: 47-17450

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

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

QUANTITY: 2.440 CFS

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

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

PRIORITY DATE: 04/18/1969

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 11/15	2.090 CFS
STOCKWATER	01/01 12/31	0.310 CFS

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			

STOCKWATER in TWIN FALLS County

T09S R14E S12	SWNE	T09S R14E S12	SENE
T09S R14E S12	NESW	T09S R14E S12	NWSE

DOMESTIC in TWIN FALLS County

T09S R14E S12 SWNE

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.

*CJD for
BRK LLC*

*or
(JTH)*

NBS

01/23/2008

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

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

The quantity of water decreed for this water right for domestic use 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.

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 - Beneficial Use

Source is also known as Silo Creek.

This right is a split from former right 47-17409.

This right is a split from former right 47-4340.

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

(M)

NBS
OK
C. J. for
B. R. L. L.

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

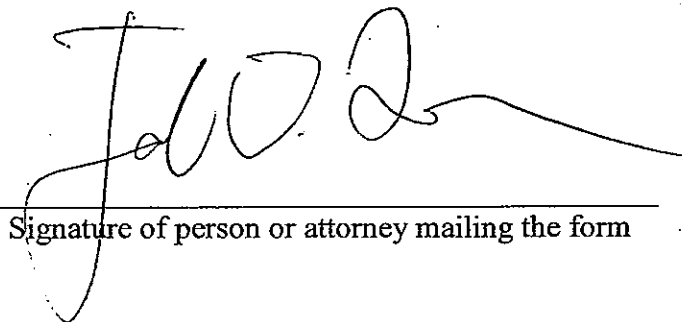
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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