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DEPARTMENT OF
WATER RESOURCES

Names of Parties Filing Document:

UNITED STATES OF AMERICA

LU RANCHING CO.

Attorneys' Names and Addresses:

RONALD J. TENPAS
Acting Assistant Attorney General
Environment and Natural Resources Division

LARRY A. BROWN
Attorney, U.S. Dept. of Justice
Natural Resources Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (202) 305-0435 FAX: (202) 305-0274

MICHAEL J. VAN ZANDT
Attorney
McQuaid, Bedford & Van Zandt LLP
221 Main Street, 16th Floor
San Francisco, California 94105
Ph: (415) 905-0200 FAX: (415) 905-0202

ROGER D. LING
Attorney
Ling, Robinson & Walker
P.O. Box 396
Rupert, Idaho 83350
Ph: (208) 436-4717 FAX: (208) 436-6804

**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 Numbers 55-10295, 55-10296,
) 55-10297B, 55-10298, 55-10299B, and
) 55-10300

Case No. 39576) **STIPULATION**
)
)
)

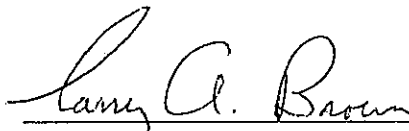
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Except for period of use, the parties hereby agree and stipulate to the water right descriptions that are attached hereto and made a part hereof by this reference.

UNITED STATES OF AMERICA



Larry A. Brown 5/13/2008
Of Attorneys for the United States Date

LU RANCHING CO.



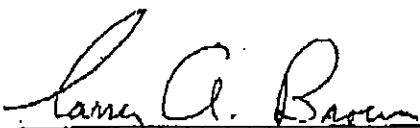
Michael J. Van Zandt 5-16-08
Of Attorneys for LU Ranching Co. Date

LU RANCHING CO.

Roger D. Ling Date
Local Counsel for LU Ranching Co.

Except for period of use, the parties hereby agree and stipulate to the water right descriptions that are attached hereto and made a part hereof by this reference.

UNITED STATES OF AMERICA



Larry A. Brown
Of Attorneys for the United States

5/13/2008

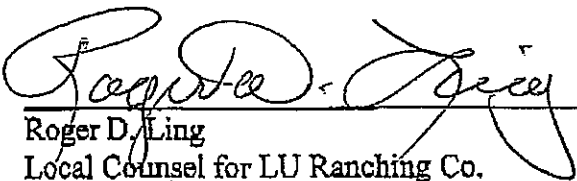
Date

LU RANCHING CO.

Michael J. Van Zandt
Of Attorneys for LU Ranching Co.

Date

LU RANCHING CO.



Roger D. Ling
Local Counsel for LU Ranching Co.

5/16/08
Date

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

RIGHT NUMBER: 55-10295

NAME AND ADDRESS: L U RANCHING CO INC
C/O WILLIAM LOWRY
PO BOX 415
JORDAN VALLEY OR 97910

SOURCE: UNNAMED STREAM TRIBUTARY: BAXTER CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~04/15/1937~~ 11/08/1913

POINT OF
DIVERSION:

Within OWYHEE County

~~T05S~~	~~R06W~~	~~S2~~	~~SENEENW~~	~~Begin of Stream Flow~~
T05S	R06W	S2	NESESW	End of Stream Flow
<u>T05S</u>	<u>R06W</u>	<u>S02</u>	<u>SESESW</u>	<u>Begin of Stream Flow</u>
T05S	R06W	S11	NWNWNE	End of Stream Flow
T05S	R06W	S11	NESWNE	Begin of Stream Flow

JAB

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	[REDACTED]	0.020 CFS

PLACE OF USE:

STOCKWATER	in OWYHEE County
T05S R06W S02	SESW
T05S R06W S02	SWSE
T05S R06W S11	NWNE
T05S R06W S11	SWNE

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.

PURSUANT TO THE DECISION IN LU RANCHING V. UNITED STATES
(144 IDAHO 89, 156 P.3D 590 (IDAHO 2007)), THIS WATER RIGHT IS
APPURTENANT TO REAL PROPERTY THAT IS NOT THE PLACE OF USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BLM ALLOTMENT NO. COW CREEK 0562 STOCKWATER, 350 RANGE
CATTLE

JAB

17-10-10

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

RIGHT NUMBER: 55-10296

NAME AND ADDRESS: L U RANCHING CO INC
C/O WILLIAM LOWRY
PO BOX 415
JORDAN VALLEY OR 97910

SOURCE: UNNAMED STREAM TRIBUTARY: JORDAN CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~04/15/1937~~ 11/08/1913

POINT OF
DIVERSION:

				Within OWYHEE County
T05S	R06W	S12	NWSWSW	Begin of Stream Flow
T05S	R06W	S23	SESWNW	End of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	[REDACTED]	0.020 CFS

PLACE OF USE:

STOCKWATER		in OWYHEE County
T05S	R06W S11	SESE
T05S	R06W S12	SWSW
T05S	R06W S14	NENE
T05S	R06W S14	SWNE
T05S	R06W S14	SENE
T05S	R06W S14	NWSE
T05S	R06W S14	SWSE
T05S	R06W S23	NWNE
T05S	R06W S23	NENW
T05S	R06W S23	SWNW
T05S	R06W S23	SENW

LAB

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.

PURSUANT TO THE DECISION IN LU RANCHING V. UNITED STATES
(144 IDAHO 89, 156 P.3D 590 (IDAHO 2007)), THIS WATER RIGHT IS
APPURTENANT TO REAL PROPERTY THAT IS NOT THE PLACE OF USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BLM ALLOTMENT NO. COW CREEK 0562 STOCKWATER, 350 RANGE
CATTLE

JAB

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

RIGHT NUMBER: 55-10297B

NAME AND ADDRESS: L U RANCHING CO INC
C/O WILLIAM LOWRY
PO BOX 415
JORDAN VALLEY OR 97910

SOURCE: UNNAMED STREAMS TRIBUTARY: TROUT CREEK
~~UNNAMED STREAM~~ TRIBUTARY: ~~JORDAN CREEK~~

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~04/15/1937~~ 11/08/1913

POINT OF
DIVERSION:

Within Owyhee County

T05S	R05W	S18	NWSW Lot 3	Begin of Stream Flow
T05S	R06W	S13	SENE	Begin of Stream Flow
T05S	R06W	S13	NENW	Begin of Stream Flow
T05S	R06W	S13	SWSW	Begin of Stream Flow
~~T05S~~	~~R06W~~	~~S14~~	~~NENE~~	~~Begin of Stream Flow~~
~~T05S~~	~~R06W~~	~~S14~~	~~SENE~~	~~End of Stream Flow~~
T05S	R06W	S23	SWSE	End of Stream Flow
<u>T05S</u>	<u>R06W</u>	<u>S24</u>	<u>SENW</u>	<u>End of Stream Flow</u>
<u>T05S</u>	<u>R06W</u>	<u>S24</u>	<u>NWSE</u>	<u>End of Stream Flow</u>

JAB

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
[REDACTED]

QUANTITY
0.020 CFS

PLACE OF USE:

STOCKWATER

in Owyhee County

T05S	R05W	S18	Lot 3	NWSW
T05S	R05W	S18	Lot 4	SWSW
T05S	R05W	S19	Lot 1	NWNW
T05S	R06W	S13		SWNE
T05S	R06W	S13		SENE
T05S	R06W	S13		NENW
T05S	R06W	S13		SENW
T05S	R06W	S13		SWSW
T05S	R06W	S13		NESE
T05S	R06W	S13		NWSE
T05S	R06W	S13		SWSE
T05S	R06W	S13		SESE

~~T05S~~	~~R06W~~	~~S14~~	~~NESE~~
T05S	R06W	S14	SESE
T05S	R06W	S23	NENE
~~T05S~~	~~R06W~~	~~S23~~	~~SWNE~~
T05S	R06W	S23	SENE
T05S	R06W	S23	NESE
T05S	R06W	S23	NWSE
T05S	R06W	S23	SWSE
T05S	R06W	S24	NENE
T05S	R06W	S24	NWNE
T05S	R06W	S24	SWNE
T05S	R06W	S24	SENE
T05S	R06W	S24	NENW
T05S	R06W	S24	SENW
T05S	R06W	S24	NWSE

LAB

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.

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

PURSUANT TO THE DECISION IN LU RANCHING V. UNITED STATES (144 IDAHO 89, 156 P.3D 590 (IDAHO 2007)), THIS WATER RIGHT IS APPURTENANT TO REAL PROPERTY THAT IS NOT THE PLACE OF USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BLM ALLOTMENT NO. COW CREEK 0562 STOCKWATER, 350 RANGE
CATTLE

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

RIGHT NUMBER: 55-10298

NAME AND ADDRESS: L U RANCHING CO INC
C/O WILLIAM LOWRY
PO BOX 415
JORDAN VALLEY OR 97910

SOURCE: UNNAMED STREAM TRIBUTARY: BAXTER CREEK
SPLIT ROCK CANYON CREEK TRIBUTARY: TROUT CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~04/15/1937~~ 11/08/1913

POINT OF
DIVERSION:

JAB

				Within Owyhee County
T05S	R05W	S6	SWSNW Lot 5	Begin of Stream Flow
T05S	R05W	S6	SWSNW Lot 5	End of Stream Flow
T05S	R05W	S7	SWNESW	End of Stream Flow
T05S	R06W	S1	SWNESE	Begin of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
[REDACTED]

QUANTITY
0.020 CFS

PLACE OF USE:

STOCKWATER

in Owyhee County

T05S	R05W	S06	Lot 5	SWNW
T05S	R05W	S07	Lot 2	SWNW
T05S	R05W	S07		NESW
T05S	R05W	S07	Lot 3	NWSW
T05S	R06W	S01		NESE
T05S	R06W	S01		SESE
T05S	R06W	S12		NENE
T05S	R06W	S12		SENE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

The use of water within the NESE, S01, T05S, R06W is limited to the Cow Creek Allotment.

PURSUANT TO THE DECISION IN LU RANCHING V. UNITED STATES (144 IDAHO 89, 156 P.3D 590 (IDAHO 2007)), THIS WATER RIGHT IS APPURTENANT TO REAL PROPERTY THAT IS NOT THE PLACE OF USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
BLM ALLOTMENT NO. COW CREEK 0562 STOCKWATER, 350 RANGE
CATTLE

JAB

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

RIGHT NUMBER: 55-10299B

NAME AND ADDRESS: L U RANCHING CO INC
C/O WILLIAM LOWRY
PO BOX 415
JORDAN VALLEY OR 97910

SOURCE: CHIMNEY CREEK TRIBUTARY: SWISHER CREEK
UNNAMED STREAMS TRIBUTARY: CHIMNEY CREEK

JAB

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~04/01/1950~~ 11/08/1913

POINT OF
DIVERSION:

			Within OWYHEE County	
T04S	R05W	S31	SENWNE	End of Stream Flow
T04S	R05W	S31	NWSENE	Begin of Stream Flow
T04S	R05W	S31	NESENE	End of Stream Flow
T04S	R05W	S31	SENENW	Begin of Stream Flow
T04S	R05W	S32	SWSWNE	Begin of Stream Flow
T04S	R05W	S32	SWSWNE	End of Stream Flow
T04S	R05W	S32	SWSESW	Begin of Stream Flow
T04S	R05W	S32	NWNWSE	End of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE


QUANTITY
0.020 CFS

PLACE OF USE:

STOCKWATER

in OWYHEE County

T04S	R05W	S31	NWNE
T04S	R05W	S31	SENE
T04S	R05W	S31	NENW
T04S	R05W	S32	SWNE
T04S	R05W	S32	SESW
T04S	R05W	S32	NWSE
T04S	R05W	S32	SWSE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

PURSUANT TO THE DECISION IN LU RANCHING V. UNITED STATES (144 IDAHO 89, 156 P.3D 590 (IDAHO 2007)), THIS WATER RIGHT IS APPURTENANT TO REAL PROPERTY THAT IS NOT THE PLACE OF USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BLM ALLOTMENT NO. COW CREEK 0562 PARCEL NO. 04S05W324200
STOCKWATER, 350 RANGE CATTLE



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

RIGHT NUMBER: 55-10300

NAME AND ADDRESS: L U RANCHING CO INC
C/O WILLIAM LOWRY
PO BOX 415
JORDAN VALLEY OR 97910

SOURCE: EAST FORK TROUT CREEK TRIBUTARY: TROUT CREEK
UNNAMED STREAMS TRIBUTARY: EAST FORK TROUT CREEK

QUANTITY: 0.020 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~04/01/1950~~ 11/08/1913

LAB

POINT OF
DIVERSION:

Within OWYHEE County

T05S	R05W	S2	NESENW	Begin of Stream Flow
T05S	R05W	S2	SWSENW	End of Stream Flow
T05S	R05W	S2	NESESE	Begin of Stream Flow
T05S	R05W	S3	SEENW Lot 3	Begin of Stream Flow
T05S	R05W	S3	SESENW	End of Stream Flow
T05S	R05W	S3	SWSESW	End of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE


QUANTITY
0.020 CFS

PLACE OF USE:

STOCKWATER

in OWYHEE County

T05S	R05W	S02	SWNW
T05S	R05W	S02	SENW
T05S	R05W	S02	NESW
T05S	R05W	S02	NWSW
T05S	R05W	S02	NWSE
T05S	R05W	S02	SWSE
T05S	R05W	S02	SESE
T05S	R05W	S03	SWNE
T05S	R05W	S03	Lot 3 NENW
T05S	R05W	S03	SENW
T05S	R05W	S03	NESW
T05S	R05W	S03	SESW
T05S	R05W	S03	NESE
T05S	R05W	S03	NWSE

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

PURSUANT TO THE DECISION IN LU RANCHING V. UNITED STATES (144 IDAHO 89, 156 P.3D 590 (IDAHO 2007)), THIS WATER RIGHT IS APPURTENANT TO REAL PROPERTY THAT IS NOT THE PLACE OF USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
BLM ALLOTMENT NO. COW CREEK 0562 STOCKWATER, 350 RANGE
CATTLE

LAB

CERTIFICATE OF MAILING

I certify that I on May 16, 2008, I served a true and correct copy of the foregoing **STIPULATION** upon the following persons by mailing the original and/or copies, postage paid and addressed as follows:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources
Division
550 West Fort Street, MSC 033
Boise, ID 83724

Mr. Tim Lowry
LU Ranching Company
Box 415
Jordan Valley, OR 97910

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83720-0098

IDWR Documentary Depository
P.O. Box 83720
Boise, ID 83720-0098

Roger D. Ling
Ling, Robinson & Walker
PO Box 396
Rupert, ID 83350

Larry A. Brown
Attorney, U.S. Dept. Of Justice
Natural Resources Section
Environmental and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Teresa Bechelli