

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: 63-27347

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER
RIGHT

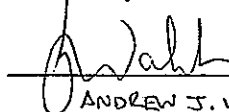
This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert 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 decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

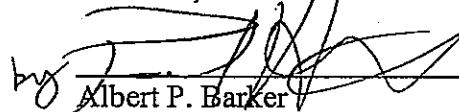
BWB Farms Inc.
14807 Plum Rd.
Caldwell, ID 83607


ANDREW J. WALDERA

6/18/08
Date

OBJECTOR:

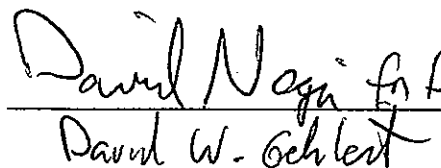
Wider Irrigation District
709 Cleveland Blvd
Caldwell, ID 83605


Albert P. Barker

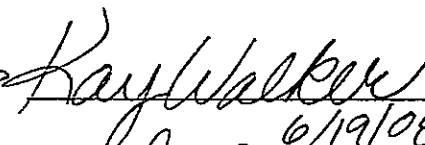
6/18/08
Date

RESPONDENT: Bureau of Reclamation

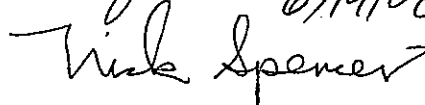
IDWR CONCURRENCE:


David W. Gehlert

6/19/08
Date


Kay Walker

6/19/08
Date


Vicki Spencer 6-19-08

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

RIGHT NUMBER: 63-27347

NAME AND ADDRESS: B W B FARMS INC
14807 PLUM RD
CALDWELL ID 83607

SOURCE: ISHAM DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.360 CFS The source of this right is waste water. The wasting of water may be discontinued at any time. JW

This right when combined with all other rights shall not exceed 0.02 cfs per acre.

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

PRIORITY DATE: 06/24/1932

POINT OF

DIVERSION: T03N R04W S21 NENENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.030 CFS
IRRIGATION	03/01 11/15	1.360 CFS

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S21 NENE 26.00 T03N R04W S21 NWNE 36.00

T03N R04W S21 Lot 2 NENW 6.00

STOCKWATER in CANYON County

T03N R04W S21 NENE T03N R04W S21 NWNE

T03N R04W S21 Lot 2 NENW

68 ACRES TOTAL

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.

~~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.~~ JW

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Wilder Irrigation District.

Stockwater use is for 75 range cattle and 2 horses.

CERTIFICATE OF MAILING

I certify that on 6/19, 2008, 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: *by hand delivery*

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:

WILDER IRRIGATION DISTRICT

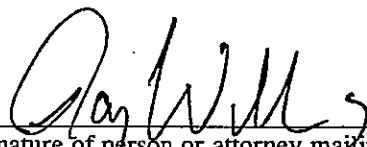
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

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

B W B FARMS INC
14807 PLUM RD
CALDWELL, ID 83607



Signature of person or attorney mailing the form