

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: 63-02351B

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:

Story Farms Inc.
c/o Virgil Story
29983 HWY 18
Parma, ID 83660

Story Farms Inc.
by Larry Story Pres 6-11-08
Date

OBJECTOR:

Riverside Irrigation District
P.O. Box 1080
Parma, ID 83660

[Signature] *6/17/08*
Albert P. Barker Date

RESPONDENT: Bureau of Reclamation

[Signature] *6/26/08*
Date

IDWR CONCURRENCE:

Wick Unsic *6/26/08*
Wick Spencer *6-26-08*
Date

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

RIGHT NUMBER: 63-2351B

NAME AND ADDRESS: STORY FARMS INC
C/O VIRGIL STORY
29983 HWY 18
PARMA ID 83660

SOURCE: UNNAMED DRAIN

TRIBUTARY: EAST ALKALI DRAIN

QUANTITY: 0.180 CFS

IS
The source of this right is waste water. The wasting of water may be discontinued at any time.

PRIORITY DATE: 03/01/1921

POINT OF

DIVERSION: T05N R06W S25 NENE Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

03/01 11/15

0.180 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R06W S25 NENE 9.00

9 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.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-2351A is also diverted through point of diversion described above.

CERTIFICATE OF MAILING

I certify that on June 26, 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:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

- hand delivered

2. Copies to:

RIVERSIDE IRRIGATION DISTRICT

Represented by:

ALBERT P BARKER

1010 W JEFFERSON, STE 102

PO BOX 2139

BOISE, ID 83701-2139

Phone: 208-336-0700

- Hand-delivered

USDI BUREAU OF RECLAMATION

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

- Hand delivered

STORY FARMS INC

C/O VIRGIL STORY

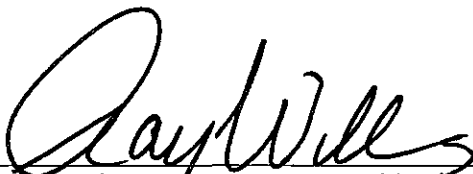
29983 HWY 18

PARMA, ID 83660

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098



Signature of person or attorney mailing the form