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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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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. 75-00063A

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:

Bruce McFarland

CLAIMANT:

Thomas McFarland

Bruce A. McFarland 9/11/08
Bruce McFarland Date
Pro Se

Thomas McFarland 9/11/08
Thomas McFarland Date
Pro Se

CLAIMANT:

David McFarland

David M. Farland 9/11/08
David McFarland Date
Pro Se

OBJECTOR:

United States of America

David L. Negri 9/11/08
David L. Negri, USDOJ Date
Bureau of Land Management

IDWR Concurrence:

Nathaniel Arave 9/11/08
Nathaniel Arave Date
Senior Water Resource Agent

Chris Bromley 9/11/08
Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 75-63A
NAME AND ADDRESS: BRUCE A MC FARLAND
PO BOX 124
CARMEN ID 83462
THOMAS MC FARLAND
PO BOX 124
CARMEN ID 83462
DAVID MC FARLAND
PO BOX 124
CARMEN ID 83462

CB NCA
BM DM
DN
JM

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 1.300 CFS
371.00 AFY
PRIORITY DATE: 05/01/1884
POINT OF
DIVERSION: T23N R22E S13 SWSWSE Within LEMHI County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.300 CFS 371.00 AFY
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
T23N R22E S23	NESE	7.40	T23N R22E S23 SESE 16.00
T23N R22E S24	NENW	9.50	T23N R22E S24 NWNW 0.30
T23N R22E S24	SWNW	24.00	T23N R22E S24 SENW 9.60
T23N R22E S24	NESW	12.00	T23N R22E S24 NWSW 32.00
T23N R22E S24	SWSW	36.00	T23N R22E S24 SESW 18.00
T23N R22E S25	NENW	11.00	T23N R22E S25 NWNW 37.00
T23N R22E S25	SWNW	28.00	T23N R22E S25 NWSW 1.80
T23N R22E S26	NENE	28.00	T23N R22E S26 SENE 10.00
T23N R22E S26	NESE	0.10	T23N R22E S23 SENE 0.20

~~280.9~~ 280.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~280.9~~ 280.7 acres in a single irrigation season. Combined Right Nos.: 75-63A, 75-77B, 75-2002, 75-2128, 75-4341, 75-10061AN & 75-10923.

This right is limited to the irrigation of 106 acres within the place of use described above in a single irrigation season.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CERTIFICATE OF MAILING

I certify that on September 17, 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:

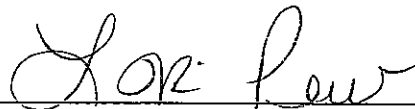
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BRUCE A MC FARLAND
DAVID MC FARLAND
THOMAS MC FARLAND
PO BOX 124
CARMEN, ID 83462

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



Signature of person or attorney mailing form