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NOV 28 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 25 2008	
By _____	Clerk _____
_____	Deputy Clerk _____

**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. 22-4096

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/OBJECTOR:

Blackfoot Farms, LLC

Randall C. Budge 11/13/08
Randall C. Budge Date
Attorney for Claimant/Objector

STANDARD FORM 5 – 22-4096

IDWR Concurrence:

Denise Kidman 11-21-08
Denise Kidman Date
Water Resource Agent

Garrick L. Baxter 11/21/08
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-4096
NAME AND ADDRESS: BLACKFOOT FARMS LLC
500 HUNTSMAN WAY
SALT LAKE CITY UT 84108
SOURCE: Source: Tributary:
SPRINGS TETON CREEK
QUANTITY: 0.687 CFS 0.000 AFY
PRIORITY DATE: 03/01/1904 04/15/1904

POINT OF DIVERSION: T04N R45E S11 NENWNW Within TETON County
T04N R45E S11 SWNNWN Within TETON County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	6/01 10/31	0.667 CFS
	STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION within TETON County
T04N R45E S11 NENW 37.0
T04N R45E S11 NWNW 40.0 T04N R45E S11 NWNW 7.2
STOCKWATER Same As IRRIGATION

77 ACRES TOTAL 44.2 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Use of this right is combined with water from Garden Irrigation Company.

RUB
OK
RUB
AB

CERTIFICATE OF MAILING

I certify that on Nov. 24, 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:

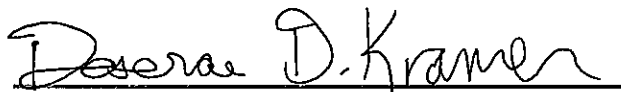
1. Original to:

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

2. BLACKFOOT FARMS LLC

Represented by:
BUDGE, THOMAS J
201 E. CENTER ST.
P.O. BOX 1391
POCATELLO, ID 83204-1391

IDWR REPOSITORY
P.O. BOX 83720
BOISE, ID 83720-0098


Signature of person or attorney mailing the form