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Department of Water Resources
Adjudication Bureau

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.: 37-11932

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

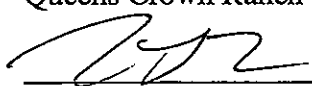
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:

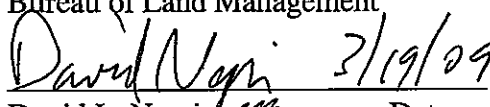
John D. Flood
Queens Crown Ranch


Travis L. Thompson
Attorney for John D. Flood
Queens Crown Ranch

3/24/09
Date

OBJECTOR/RESPONDENT:

United States on behalf of the
Bureau of Land Management


David L. Negri
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

Kelly K. Christensen 3-12-09
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Garrick L. Baxter 3/12/09
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

10/01/2008

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

RIGHT NUMBER: 37-11932

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 0.72 CFS
94.00 96.5 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of ~~508~~ 604.5 AF. Combined Right Nos.: 37-2573 and 37-11932.

PRIORITY DATE: 04/15/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION:

T01S R19E S17 SESESW Injection Within BLAINE County
T01S R19E S17 SWSWSE Within BLAINE County
T01S R20E S35 NENENE Rediversion Within BLAINE County
T02S R20E S1 NESWNE Rediversion Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.270 0.72 CFS 94.00 96.5 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S31	SWSW	1.70	T01S R21E S31	SESW	25.00 29.00
T01S R21E S31	NESE	31.00	T01S R21E S31	NWSE	33.00
T01S R21E S31	SWSE	40.00	T01S R21E S31	SESE	38.00
T01S R21E S32	NWSW	16.00	T02S R20E S12	NENE	25.00
T02S R21E S06 Lot 1	NENE	5.30	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06	SWNE	10.00	T02S R21E S06 Lot 3	NENW	36.00
T02S R21E S06 Lot 4	NWNW	23.00	T02S R21E S06 Lot 5	SWNW	37.00
T02S R21E S06	SENW	31.00	T02S R21E S06	NESW	11.00
T02S R21E S06 Lot 6	NWSW	25.00	T02S R21E S06 Lot 7	SWSW	20.00
T02S R21E S07 Lot 1	NWNW	45.00			

490 494 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~534~~ 538 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

The rights listed below are limited to the irrigation of a combined total of ~~490~~ 494 acres in a single irrigation season. Combined Right Nos.: 37-2573 and 37-11932.

10/01/2008

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

Place of use does not include federal public lands.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is for an enlargement of ~~20~~ 250 acres within the place of use described for this 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 is based upon an enlargement of Right No. 37-2573 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF SERVICE

I certify that on March 29, 2009, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Travis L. Thompson
Barker, Rosholt & Simpson LLP
P.O. Box 485
Twin Falls, ID 83303-0485

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form