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DEC 21 2009

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	)	Subcase No. 73-10005
	)	
Case No. 39576	)	
	)	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.

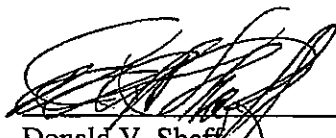
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Bar G Farms Enterprises

 12-14-09
Bar G Farms Enterprises Date
Pro/Se

IDWR Concurrence:

 12-04-09
Donald V. Shaff Date
Adjudication Bureau Chief

 12/4/09
Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

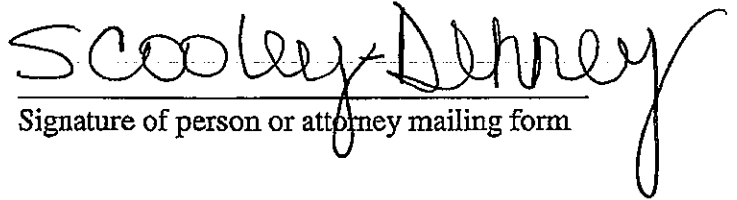
I certify that on DECEMBER 17, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

BAR G FARMS ENTERPRISES TRUST
PO BOX 175
MAY, ID 83253


Signature of person or attorney mailing form

11/24/2009

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-10005

NAME AND ADDRESS: BAR G FARMS ENTERPRISES
PO BOX 175
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.900 CFS

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 11/05/1889

POINT OF DIVERSION:

T14N R21E S1 NESESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.900 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S34	NENE	8.00	T15N R21E S34	NWNE	30.00
T15N R21E S34	SWNE	40.00	T15N R21E S34	SENE	38.00
T15N R21E S34	NESE	20.00	T15N R21E S34	NWSE	40.00
T15N R21E S34	SWSE	38.00	T15N R21E S35	SWNW	35.00
T15N R21E S35	SENW	3.00	T15N R21E S35	NESW	18.00
T15N R21E S35	NWSW	23.00	T15N R21E S35	SWSW	5.00

298 ACRES TOTAL

This right is limited to the irrigation of 195 acres within the place of use described above in a single irrigation season.

Right Nos. 73-10005, 73-11981, 73-11993, 73-11982 and 73-11987 are limited to the irrigation of a combined total of 298 acres 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.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CB *[Handwritten signature]*
[Handwritten initials]

~~Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.~~

This right is a combination of old Right Nos. 73-88, 73-89.

~~The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.~~