

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. 73-11974
	)	
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.

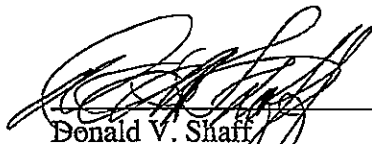
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

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

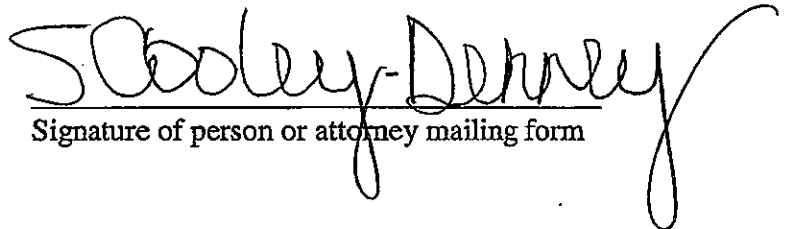
I certify that on DECEMBER 17, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

12/03/2009

RIGHT NUMBER: 73-11974

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

SOURCE: WARM SPRING Tributary: SINKS
~~UNNAMED STREAM~~ ~~PAHSIMEROY RIVER~~

QUANTITY: ~~0.020 CFS~~
0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1885

POINT OF DIVERSION: ~~T15N R21E S34 NWNESE End of Stream Flow Within CUSTER County~~
~~T15N R21E S34 SESWSE Begin of Stream Flow Within CUSTER County~~
T15N R21E S34 SESWSE Within CUSTER County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	STOCKWATER	01/01 12/31	<u>0.040 CFS</u>
			~~0.020 CFS~~
PLACE OF USE:	STOCKWATER	within CUSTER County	~~T15N R21E S34 NESE~~
	T15N R21E S34 SWSE		~~T15N R21E S34 SESE~~

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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
Stockwater use is for 500 pairs of range cattle.
~~Source is also known as Warm Spring.~~