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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. 73-11997     |
|                | ) |                          |
| 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/OBJECTOR:**

Bar G Farms Enterprises

*Billy Hayden* *12-14-09*  
Bar G Farms Enterprises Date  
Pro Se

**IDWR Concurrence:**

*Donald V. Shaff* *12-14-09*  
Donald V. Shaff Date  
Adjudication Bureau Chief

*Chris Bromley* *12/14/09*  
Chris Bromley Date  
Deputy Attorney General  
Attorney for IDWR

## CERTIFICATE OF MAILING

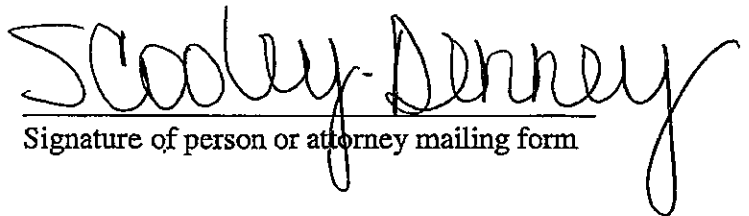
I certify that on DECEMBER 17, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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  
PO BOX 175  
MAY, ID 83253

  
Signature of person or attorney mailing form

12/03/2009

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

RIGHT NUMBER: 73-11997

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

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.140 CFS

The quantity of water for the rights listed below shall not exceed 13,000 gallons per day: 73-11996, 73-11997, 73-11998, 73-11999.

PRIORITY DATE: 01/01/1911

POINT OF DIVERSION:

T15N R21E S35 NWNW Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.140 CFS

PLACE OF USE:

STOCKWATER in LEMHI County

T15N R21E S35 NWNW

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

Source is also known as Spring B.

Stockwater use is for 500 pair range cattle.