

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 22 2010

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

Subcase Nos. 02-2162

Case No. 39576

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

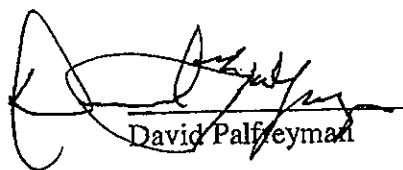
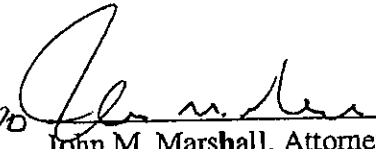
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

OBJECTOR:
Allen Noble Farms, Inc.

David Palfreyman Date 15 Apr 2010 John M. Marshall, Attorney Date 3/22/2010

IDWR Concurrence:

Jan Shurte 3-26-10
~~Donald V. Shaff~~ JAN SHURTE Date
~~Adjudication Bureau Chief~~
WATER RIGHTS SUPERVISOR

Andrea L. Courtney 3/30/10
~~Garrick Baxter~~ Andrea L. Courtney Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on April 21, 2010, 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:

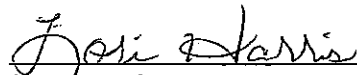
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

ALLEN NOBLE FARMS INC
Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720

BIGFOOT FARM LLC
DAVID PALFREYMAN MANAGER
5001 FIFESHIRE PL N
BOISE, ID 83713

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



Signature of person or attorney mailing the form

02/22/2010

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

RIGHT NUMBER: 2-2162

NAME AND ADDRESS: BIGFOOT FARM LLC
DAVID PALFREYMAN MANAGER
5001 FIFESHIRE PL N
BOISE ID 83713

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.380 CFS

~~The rights listed below are limited to a total combined diversion rate of~~
~~17.87~~
~~cfs-~~
~~Combined Right Nos.: 2-2160A, 2-2160B, 2-2162, 2-2167, 2-2170, 2-2171,~~
~~and 2-2198.~~

PRIORITY DATE: 02/16/1961

POINT OF
DIVERSION:

T01N R03W S22 SENW Lot 5 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

2.380 CFS

PLACE OF USE: IRRIGATION in CANYON County

T01N R03W S15	NESE	40.00	T01N R03W S15	NWSE	39.00
T01N R03W S15	SWSE	38.00	T01N R03W S15	SESE	40.00

157 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 - License

The following rights are also diverted through point of diversion described above: 2-2160A, 2-2160B, 2-2162, 2-2167, 2-2170, 2-2171, and 2-2198.