

ORIGINAL

19

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 11 2010
By _____ 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 No. 63-3274
	)	
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.

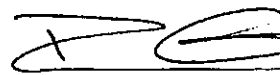
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

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

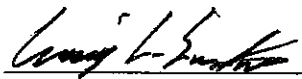
CLAIMANT/OBJECTOR:
DBSI Tiegs 979, LLC

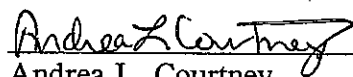
RESPONDENT:
State of Idaho

 4/29/10
Tom C. Morris Date
Attorney for Claimant/Objector

 5/10/10
David I. Stanish Date
Attorney for Respondent

DWR Concurrence:

 4-22-10
Craig L. Saxton Date
Water Right Supervisor

 4/22/10
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

03/03/2010

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

RIGHT NUMBER: 63-3274
NAME AND ADDRESS: DBSI TIEGS 979 LLC
1550.S TECH LN
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.800 CFS
544.50 AFY

PRIORITY DATE: 02/14/1962

POINT OF
DIVERSION:

T02N R02W S31 NESESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 - 11/15

1.800 CFS
544.50 AFY

PLACE OF USE: IRRIGATION in CANYON County

T01N R02W S06 Lot 3 NENW	34.00	T01N R02W S06 Lot 4 NWNW	9.00
T02N R02W S31 Lot 4 SWSW	38.00	T02N R02W S31	SESW 40.00

121 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

CERTIFICATE OF MAILING

I certify that on May 10, 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:

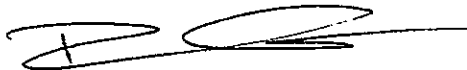
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

~~STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449~~

DBSI TIEGS 979, LLC
Represented by:
TOM C. MORRIS
3684 N. BUNCHBERRY WAY
BOISE, ID 83704

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney