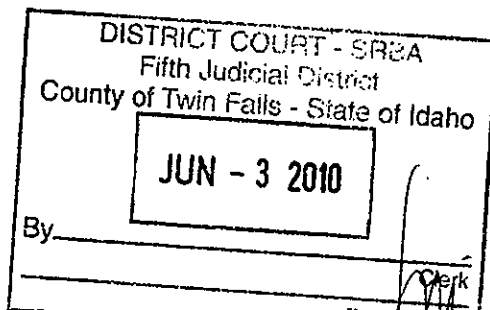




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase Nos. 47-14095

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:

Mark Brackett

Mr. Ant
Antelope Springs Ranch

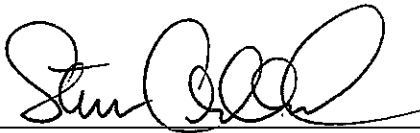
5-12-10
Date

OBJECTOR:

United States of America
Bureau of Land Management

David Negri 5/25/10
David Negri, Attorney MB Date

IDWR Concurrence:


Steve Clelland
Water Agent

5/20/10
Date


For Garrick Baxter
Deputy Attorney General

6-1-10
Date

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

RIGHT NUMBER: 47-14095

NAME AND ADDRESS:

ANTELOPE SPRINGS RANCH
ANTELOPE SPRINGS

ROGERSON ID 83302

SOURCE:

Source:

SPRING

Tributary:

SALMON FALLS CREEK

QUANTITY:

0.180 CFS

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

PRIORITY DATE:

08/10/1885

POINT OF DIVERSION:

T15S R14E S3 SENESE
Within TWIN FALLS County

~~T15S R14E S2 SENESE End of Stream Flow~~

~~T15S R14E S3 SENESE Begin of Stream Flow~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.180 CFS

~~STOCKWATER~~

~~01/01 12/31~~

~~0.010 CFS~~

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

PLACE OF USE: IRRIGATION within TWIN FALLS County
 T15S R14E S02 SWNE 7.7
 T15S R14E S02 SENW 14.0
 T15S R14E S02 NESW 1.8

STOCKWATER
~~T15S R14E S02 SENW~~
~~T15S R14E S02 NESW~~
~~T15S R14E S02 NWSW~~
~~T15S R14E S03 NESE~~

23.5 ACRES TOTAL

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

This right does not grant any right-of-way or easement across the land of another.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SPLIT RIGHT: SEE RIGHT NO. 47-17539 for the instream stockwater right recd.

CERTIFICATE OF MAILING

I certify that on June 2, 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:

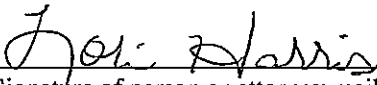
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

ANTELOPE SPRINGS RANCH
ANTELOPE SPRINGS
HC 33
ROGERSON, ID 83302

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



Signature of person or attorney mailing the form