

**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. 73-12110
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

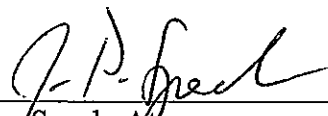
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

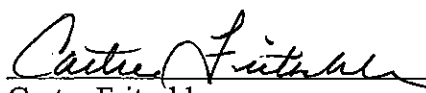
CLAIMANT/OBJECTOR:

Flying Joseph Ranch, LLC

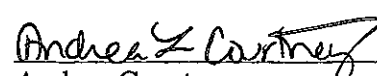
 6-29-10

 James Speck, Attorney Date

IDWR Concurrence:

 7-14-10

 Carter Fritschle Date
 Manager, Adjudication Section

 7/14/10

 Andrea Courtney Date
 Deputy Attorney General
 Attorney for IDWR

06/25/2010

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

RIGHT NUMBER: 73-12110

NAME AND ADDRESS: FLYING JOSEPH RANCH LLC
C/O JOSEPH CLARK
7213 PERIMETER RD S
SEATTLE WA 98108

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

Point of injection into Goldburg Creek. Point of redirection from Pahsimeroi River.

QUANTITY: 32.800 CFS

PRIORITY DATE: 04/01/1969

POINT OF DIVERSION:

T13N R23E S13 NENW Within CUSTER County
T13N R23E S20 SESW Rediversion Within CUSTER County
T13N R23E S27 SESW Injection Within CUSTER County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	32.800 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T13N R22E S01	SWNW	19.00	T13N R22E S01	NWSW	35.00
T13N R22E S01	SWSW	41.00	T13N R22E S02 Lot 1	NENE	31.0
T13N R22E S02 Lot 2	NWNE	9.6	T13N R22E S02	SWNE	8.3
T13N R22E S02	SENE	40.00	T13N R22E S02	NESE	40.00
T13N R22E S02	SESE	40.00	T13N R22E S11	NENE	37.00
T13N R22E S11	SENE	33.00	T13N R22E S11	NESE	27.0
T13N R22E S11	SESE	29.00	T13N R22E S12	NWNE	0.5
T13N R22E S12	SWNE	23.00	T13N R22E S12	NENW	2.6
T13N R22E S12	NWNW	41.00	T13N R22E S12	SWNW	40.0
T13N R22E S12	SENW	1.1	T13N R22E S12	NESW	41.0
T13N R22E S12	NWSW	31.00	T13N R22E S12	SWSW	30.0
T13N R22E S12	SESW	37.00	T13N R22E S12	NWSE	41.0
T13N R22E S12	SWSE	39.00	T13N R22E S13	NWNE	23.0
T13N R22E S13	SWNE	12.00	T13N R22E S13	NENW	15.0
T13N R22E S13	NWNW	37.00	T13N R22E S13	SWNW	9.9
T13N R22E S13	SENW	16.0	T13N R22E S13	NESW	0.2
T13N R22E S13	SWSW	9.80	T13N R22E S13	NWSE	23.0
T13N R22E S13	SESE	34.00	T13N R22E S14	NENE	17.00
T13N R22E S14	SENE	21.0	T13N R22E S14	NESE	36.0

T13N R22E S14	NWSE	20.0	T13N R22E S14	SWSE	31.00
T13N R22E S14	SESE	37.0	T13N R22E S23	NENE	40.00
T13N R22E S23	NWNE	37.0	T13N R22E S23	SWNE	23.00
T13N R22E S23	SENE	40.00	T13N R22E S23	NESE	12.00
T13N R22E S24	NENE	8.00	T13N R22E S24	NWNE	0.50
T13N R22E S24	SWNE	30.00	T13N R22E S24	SENE	12.00
T13N R22E S24	NENW	19.00	T13N R22E S24	NWNW	40.00
T13N R22E S24	SWNW	40.00	T13N R22E S24	SENW	40.00
T13N R22E S24	NESW	37.0	T13N R22E S24	NWSW	28.0
T13N R22E S24	NESE	39.00	T13N R22E S24	NWSE	39.00
T13N R23E S18 Lot 4	SWSW	25.00	T13N R23E S19	NWNE	25.0
T13N R23E S19	SWNE	39.00	T13N R23E S19	SENE	27.0
T13N R23E S19	NENW	39.00	T13N R23E S19 Lot 1	NWNW	36.00
T13N R23E S19 Lot 2	SWNW	7.80	T13N R23E S19	SENW	38.00
T13N R23E S19	NESW	28.0	T13N R23E S19 Lot 3	NWSW	29.0
T13N R23E S19 Lot 4	SWSW	25.0	T13N R23E S19	SESW	40.00
T13N R23E S19	NESE	39.00	T13N R23E S19	NWSE	40.00
T13N R23E S19	SWSE	40.0	T13N R23E S19	SESE	35.0
T13N R23E S20	NWSW	27.0	T13N R23E S29	NWNW	37.00
T13N R23E S29	SWNW	40.00	T13N R23E S29	NWSW	28.00
T13N R23E S30	NENE	40.00	T13N R23E S30	NWNE	40.00
T13N R23E S30	SWNE	40.00	T13N R23E S30	SENE	40.00
T13N R23E S30	NENW	40.00	T13N R23E S30 Lot 1	NWNW	25.00

2413.3 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 73-147A, 73-147B, 73-147C, 73-150D, 73-189, 73-259, 73-2165, 73-10040, 73-10041 and 73-12110 are limited to the irrigation of a combined total of 2413.3 acres in a single irrigation season.

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 - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is renumbered from former claim 73-2126A.

Handwritten signatures and initials:
 JRS
 AKC
 CH

CERTIFICATE OF MAILING

I certify that on July 16, 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

FLYING JOSEPH RANCH LLC

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340

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



Signature of person or attorney mailing form