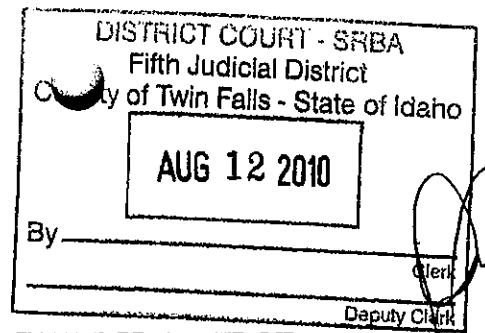




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

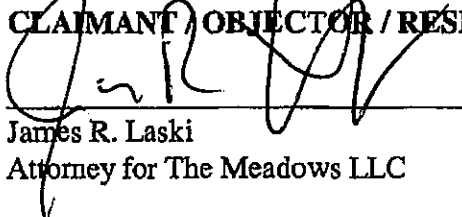
In Re SRBA	)	Subcase No.: 37-458B
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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.

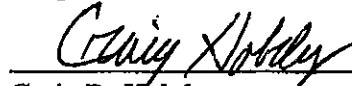
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / OBJECTOR / RESPONDENT:


James R. Laski
Attorney for The Meadows LLC

7/29/10
Date

OBJECTORS / RESPONDENTS:


Craig D. Hobdey
Attorney for Big Wood Canal Company

7-30-10
Date


Albert P. Barker
Attorney for Tom O'Gara, John F. Stevenson, Bill Molyneux, Pete Van Der Meulen, Grace Eakin, Gerald Bashaw, and Pepin Corso-Harris

7-30-10
Date

IDWR CONCURRENCE:

Douglas Jones 6/24/10
Date
Douglas Jones
Technical Engineer 1

IDWR CONCURRENCE:

C. M. Bromley 6/30/10
Date
Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 37-458B
NAME AND ADDRESS: THE MEADOWS LLC
THE KIRK GROUP
PO BOX 4380
333 S MAIN ST STE 211
KETCHUM ID 83340
SOURCE: CLEAR CREEK Tributary: SINKS
QUANTITY: 0.460 CFS 0.230-CFS

Right Nos. 37-458B and 37-2125 are limited to a total combined diversion rate of 0.46 cfs when irrigating by furrow irrigation methods.

This right individually, or when combined with Right No. 37-2125, shall provide no more than .02 cfs per acre (0.23 cfs) when irrigating by sprinkler irrigation methods.

Right Nos. 37-458B, 37-458B, and 37-2125 are limited to a total combined diversion rate of 0.46 cfs.

This right when combined with Right Nos. 37-458B and 37-2125 shall provide no more than .04 cfs per acre.

Right Nos. 37-458B and 37-2125 are limited to a total combined diversion rate of 0.5 cfs.

PRIORITY DATE: 06/01/1983

POINT OF DIVERSION: T04N R18E S31 SWSWNE Within BLAINE County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/15 10/31	0.460 CFS 0.230-CFS

PLACE OF USE: IRRIGATION within BLAINE County

T04N R18E S31 NWSE 11.5

T04N R18E S31 ENESE 8.4

T04N R18E S31 NWSE 11.0

T04N R18E S31 ENESE 0.1

11.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 11.5 acres in a single irrigation season. Combined Right Nos.: 37-2125, 37-458B.

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 - Decreed

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

CERTIFICATE OF SERVICE

I certify that on August 11, 2010, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

James R. Laski
Lawson Laski Clark & Pogue PLLC
P.O. Box 3310
Ketchum, ID 83340

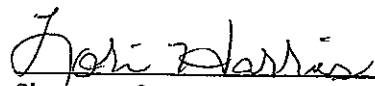
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Craig D. Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person or attorney mailing the form