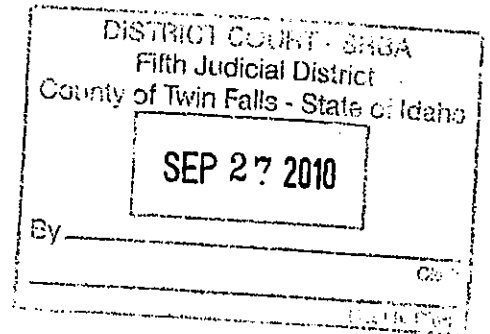




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 63-31052
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

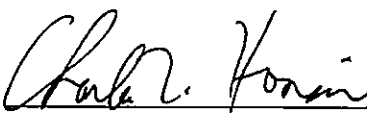
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

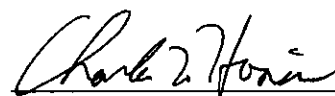
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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:
T-7, LLC

OBJECTOR:
The Terteling Company, Inc.

 09/27/10
Charles L. Honsinger Date
Attorney for Claimant

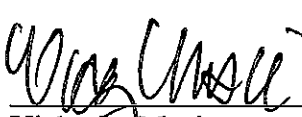
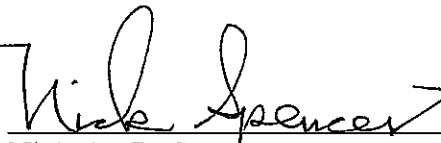
 09/27/10
Charles L. Honsinger Date
Attorney for Objector

OBJECTOR/RESPONDENT:

Edwards Family, LLC

 9-27-10
By: _____ Date
Title: Attorney

IDWR Concurrence:

<u></u> 9-23-10	<u></u> 9-24-10
Vicky L. Music Senior Water Resource Agent	Nicholas B. Spencer Deputy Attorney General Attorney for IDWR
Date	Date

9/7/2010

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

RIGHT NUMBER: 63-31052

NAME AND ADDRESS: T-7 LLC
3858 GARDEN CENTER WY STE 300
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
~~79.64~~ AFY 86.9 AFY

VMM
NBS
C.2.37

This right when combined with all other rights shall provide no more than .02 cfs per acre.

PRIORITY DATE: 04/24/1948

POINT OF
DIVERSION:

T04N R02E S22 SWNW Within ADA County

This well diverts low temperature geothermal water.

~~Right Nos. 63-3603 and 63-7595 are also diverted through point of diversion described above. Right No. 31-31050 is also diverted through the point of diversion described above but the source is a cold water aquifer.~~

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	01/01 12/31	0.120 CFS
IRRIGATION	03/01 11/15	0.120 CFS 3.00 AFY
RECREATION	01/01 12/31	0.120 CFS
AESTHETIC STORAGE	01/01 12/31	3.00 AFY
HEATING	01/01 12/31	0.120 CFS 79.64 AFY

Low temperature geothermal water diverted under this right will be used for heating purposes first to the extent possible before it is used for irrigation, recreation, aesthetic or aesthetic storage purposes. Diversion of low temperature geothermal water for irrigation under this right shall occur only when cold water sources covering the place of use are insufficient or cannot be used.

PLACE OF USE: IRRIGATION in ADA County

T04N R02E S22 SWNW 1.00

HEATING in ADA County

T04N R02E S22 SWNW

AESTHETIC in ADA County

T04N R02E S22 SWNW

RECREATION same as IRRIGATION

1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~171~~ 178 acres in a single irrigation season. Combined Right Nos.: 63-12, 63-13, 63-15, 63-308, 63-3603, 63-7595, 63-27649, 63-27671, 63-31050, 63-31052, 63-31053, 63-31054, 63-31055, ~~63-31054~~ 63-31056.

WLM
NBS
C.24
[Signature]

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.

~~This right is subject to regulation by the watermaster of Water District 63-S.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

~~Water is 125 degrees F temperature geothermal water.~~

Water temperature is measured at 125 degrees F.

The point of diversion is also known as the Pool Well. in the SESWNW of S 22.

Property is also known as 5100 N. Cartwright Rd., Boise, Idaho.

The well that is the point of diversion is completed in concentric casings. The 10" casing is completed in a cold water aquifer. The 8" casing within the 10" casing is completed in the low temperature geothermal aquifer locally known as the Stewart Gulch Geothermal Aquifer. This right and Right Nos. 63-3603 and 63-7595 are diverted from the low temperature geothermal aquifer. Right No. 63-31050 is also diverted through this point of diversion but the source for this right is the cold water aquifer.

Use of water under this water right will be regulated by the watermaster of State Water District No. 63-S, Stewart Gulch. Water District 63-S regulates the water rights from wells within its boundary that produce from the low temperature geothermal aquifer known locally as the Stewart Gulch Geothermal Aquifer.

CERTIFICATE OF MAILING

I certify that on Sept 27, 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

VIA HAND DELIVERY

2. Copies to:

THE TERTELING COMPANY, INC.
T-7, LLC

Represented by:
CHARLES L. HONSINGER
455 S. THIRD STREET
P.O. BOX 2773
BOISE, ID 83701-2773

1 1

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

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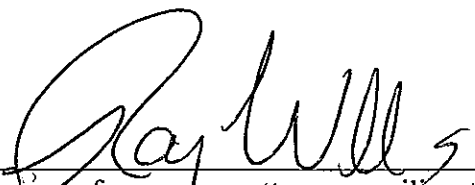
EDWARDS FAMILY, LLC

Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702

1 1

EDWARDS FAMILY, LLC

Represented by:
DEBRA K. ELLERS
P.O. BOX 1030
MCCALL, ID 83638



Signature of person or attorney mailing the form