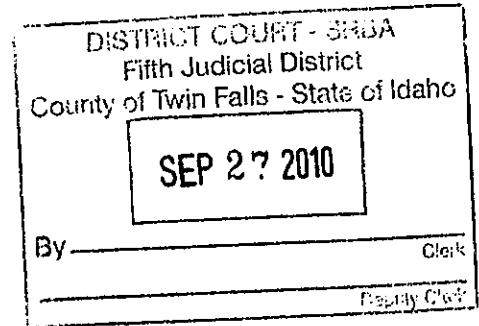




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Subcase No. 63-31050

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

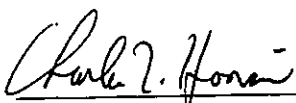
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

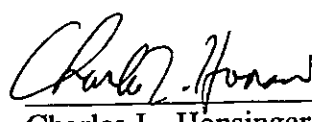
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions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

Barnett Edwards 9/27/10

By:

Date

Title:

IDWR Concurrence:

Vicky L. Music 9-23-10

Vicky L. Music

Date

Senior Water Resource Agent

Nicholas B. Spender 9-24-10

Nicholas B. Spender

Date

Deputy Attorney General

Attorney for IDWR

9/7/2010

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

RIGHT NUMBER: 63-31050

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
4.50 AFY

LLM
NBS
C.L.H
GKE

The annual diversion volume refers to the irrigation use only.

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

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

PRIORITY DATE: 06/01/~~1946~~ 1944

POINT OF
DIVERSION:

T04N R02E S22 SWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE	01/01 12/31	0.020 CFS
AESTHETIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.020 CFS 4.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in ADA County

T04N R02E S22 SWNW 1.00

STOCKWATER in ADA County

T04N R02E S22 SWNW

AESTHETIC in ADA County

T04N R02E S22 SWNW

WILDLIFE 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, 63-31056.

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.

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

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

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

~~Right No. 63-31053 is also diverted through point of diversion described above. Right Nos. 63-3603, 63-7595 and 63-31052 are also diverted through the point of diversion described above but the source for these rights is a geothermal aquifer.~~

The well that is the point of diversion is completed in concentric casings. The 10 inch casing is completed in a cold water aquifer. The 8 inch casing within the 10 inch casing is completed in the low temperature geothermal aquifer locally known as the Stewart Gulch Geothermal Aquifer. This right is authorized to divert from the cold water aquifer.

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

Stockwater use is for 10 llamas.

WMM
NBS
C.L.H.
GKE

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

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

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EDWARDS FAMILY, LLC

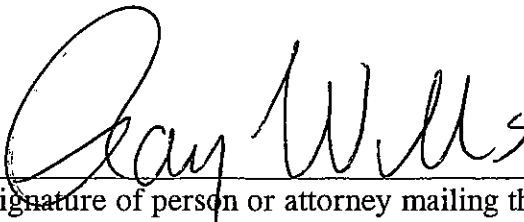
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702

11

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EDWARDS FAMILY, LLC

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



Signature of person or attorney mailing the form