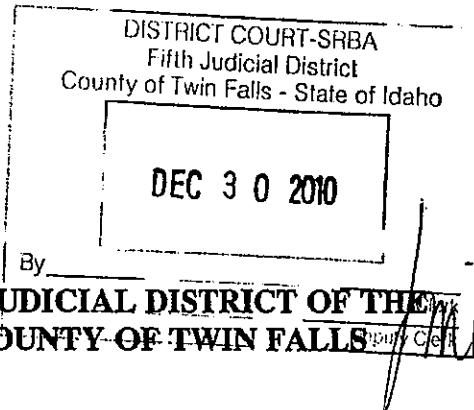




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase Nos. 02-10192
	)	
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.

CLAIMANTS:

OBJECTOR:

Farm Development Corporation

Marilyn Brandt 12-21-10
Marilyn Brandt Date

Donald Brandt 12-21-10
Donald Brandt Date

John H. + Drah I. Brandt
Foundation Date

John Brandt 12-21-10
John Brandt Date

John M. Marshall 12/7/2010
John M. Marshall, Attorney Date

IDWR Concurrence: Trust

Jan Shurte 10-27-10
Jan Shurte Date
Senior Water Agent

Andrea Courtney 12/8/10
Andrea Courtney Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on December 29, 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

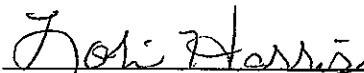
2. Copies to:

FARM DEVELOPMENT CORP

Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720

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

DONALD K BRANDT
JOAN M BRANDT
MARILYN I BRANDT
203 11TH AVE S
NAMPA, ID 83651



Signature of person or attorney mailing the form

SF5 Right No. 2-10192

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

RIGHT NUMBER: 2-10192

NAME AND ADDRESS: DONALD K BRANDT
203 11TH AVE S
NAMPA ID 83651

JOAN M BRANDT
203 11TH AVE S
NAMPA ID 83651

MARILYN I BRANDT
203 11TH AVE S
NAMPA ID 83651

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 8.570 CFS
2,070.000 AFY

~~The rights listed below are limited to a total combined diversion rate of 97.57 cfs. Combined Right Nos. 2-63, 2-105, 2-2168, 2-2201, 2-2202, 2-2203, 2-2219C, 2-2219D, 2-2313, 2-10287, 2-10288, 2-10192, and 2-10193.~~

PRIORITY DATE: 03/26/1963

POINT OF DIVERSION:

T01N R03W S16 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

8.570 CFS
2,070.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION in CANYON County

T02N R03W S19	SESW	20.00	T02N R03W S19	SWSE	32.00
T02N R03W S19	SESE	3.00	T02N R03W S29	NWNW	14.00
T02N R03W S29	SWNW	5.00	T02N R03W S30	NENE	39.00
T02N R03W S30	NWNE	39.00	T02N R03W S30	SWNE	39.00
T02N R03W S30	SENE	35.00	T02N R03W S30	NENW	40.00
T02N R03W S30 Lot 1 NWNW		19.00	T02N R03W S30 Lot 2 SWNW		36.00
T02N R03W S30	SESW	40.00	T02N R03W S30	NESW	39.00
T02N R03W S30 Lot 3 NWSW		12.00	T02N R03W S30	SESW	9.00
T02N R03W S30	NESE	5.00	T02N R03W S30	NWSE	32.00
T02N R03W S30	SWSE	5.00	T02N R04W S25	SENE	5.00

468 ACRES TOTAL

This right authorizes the irrigation of 468 total acres.

SF5 Right No. 2-10192

SF5 Right No. 2-10192

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 - License

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

The following rights are also diverted through point of diversion described above: 2-68, 2-105, 2-2168, 2-2201, 2-2202, 2-2203, 2-2219C, 2-2219D, 2-2313, 2-10287, 2-10288, 2-10192, and 2-10193.

This right is a split from former right 2-2219A.

SF5 Right No. 2-10192