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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 17 2010

In Re SRBA

Case No. 39576

Subcase No. 75-04333

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

Carmen Land & Livestock, Inc.

Carmen Land & Livestock, Inc. by Dave McFarland 9/13/10
Carmen Land & Livestock, Inc., Pro Se Date
By: Dave McFarland

IDWR Concurrence:

Greg Taylor 9/23/10
Greg Taylor Date
Stream Channel Protection Specialist

Garrick L. Baxter 9/28/10
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

cktl DM

07/22/2010

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

RIGHT NUMBER: 75-4333

NAME AND ADDRESS: CARMEN LAND & LIVESTOCK INC
C/O DAVE MC FARLAND
PO BOX 124
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 5-666.800 CFS

PRIORITY DATE: 04/01/1915

POINT OF
DIVERSION:

T23N R22E S25 NENW Within LEMHI County
T23N R22E S35 NENE Within LEMHI County
T23N R22E S35 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 ~~10/31~~ 11/15	5-666.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S02 Lot 3	NENW	2-501.50	T22N R22E S02 Lot 4	NWNW	28-0027.00
T22N R22E S02	SWNW	1-701.90	T22N R22E S03 Lot 1	NENE	12-0037.00
T22N R22E S03	SENE	8-1011.00	T23N R22E S34	SESE	14-0020.00
T23N R22E S35	SWNE	13-0017.00	T23N R22E S35	NENW	2-403.10
T23N R22E S35	SWNW	0.20	T23N R22E S35	SENW	22-0024.00
T23N R22E S35	NESW	24-0039.00	T23N R22E S35	NWSW	16-0021.00
T23N R22E S35	SWSW	35-0039.00	T23N R22E S35	SESW	11-0030.00
T23N R22E S35	NWSE	20-0018.00	T23N R22E S35	SWSE	0-400.30

261-5290 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 261-5290 acres in a single irrigation season. Combined Right Nos.: 75-62, 75-68B, 75-4333, 75-10061V and 75-10062T.

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

STANDARD FORM 5 ATTACHMENT FOR 75-4333

244 AM

CERTIFICATE OF MAILING

I certify that on December 15, 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:

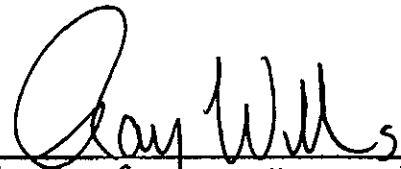
1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

CARMEN LAND & LIVESTOCK INC
C/O DAVE MC FARLAND
PO BOX 124
CARMEN, ID 83462

DAVID M MC FARLAND
PO BOX 125
CARMEN, ID 83462

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



Signature of person or attorney mailing form