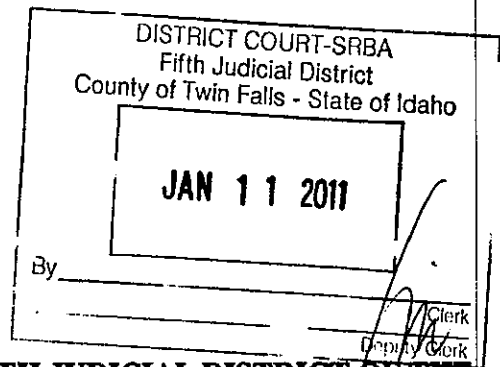




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase Nos. 02-2197A
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

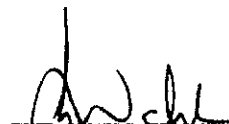
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

Tree Top Ranches LP



Andrew Waldera, Attorney

1/6/11

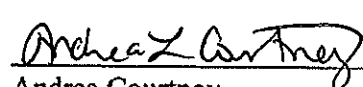
Date

STANDARD FORM 5 - 02-2197A

IDWR Concurrence:


Jan Shurte
Water Rights Supervisor

Date


Andrea Courtney
Deputy Attorney General

Date

CERTIFICATE OF MAILING

I certify that on January 10, 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:

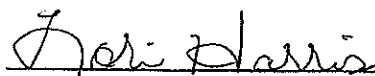
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

TREE TOP RANCHES LP
Represented by:
ANDREW WALDERA
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829

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

TREE TOP RANCHES LP
914 HOUSTON RD
BOISE, ID 83706



Signature of person or attorney mailing the form

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

RIGHT NUMBER: 2-2197A

NAME AND ADDRESS: TREE TOP RANCHES LP
914 HOUSTON RD
BOISE ID 83706

ATN

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 9.300 CFS

Right Nos. 02-104, 02-2175A, 02-2175D, 02-2175E, 02-2197A, 02-10054
and 02-10055 are limited to a total combined diversion rate of 49.02 cfs.

PRIORITY DATE: 12/13/1962

POINT OF DIVERSION:

T01N R03W S36 SWSWNE Lot 7 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 10/31

9.300 CFS

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 April 1 and after October 31 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.

[Handwritten signature]

PLACE OF USE: IRRIGATION in CANYON County

T01N R02W S19	NENE	39.00	T01N R02W S19	NWNE	39.00
T01N R02W S19	SWNE	39.00	T01N R02W S19	SENE	40.00
T01N R02W S19	NENW	39.00	T01N R02W S19 Lot 1	NWNW	39.00
T01N R02W S19 Lot 2	SWNW	40.00	T01N R02W S19	SENW	40.00
T01N R02W S19	NESW	40.00	T01N R02W S19 Lot 3	NWSW	39.00
T01N R02W S19 Lot 4	SWSW	40.00	T01N R02W S19	SESW	40.00
T01N R02W S19	NESE	39.00	T01N R02W S19	NWSE	39.00
T01N R02W S19	SWSE	40.00	T01N R02W S19	SESE	40.00
T01N R02W S29	NWNW	37.00	T01N R02W S29	SENW	39.00

708 ACRES TOTAL

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.

SF5 Right No. 2-2197A

AK

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 02-2197.

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: 02-104, 02-2175A, 02-2175D, 02-2175E, 02-2197A, 02-10054, and 02-10055.

SF5 Right No. 2-2197A