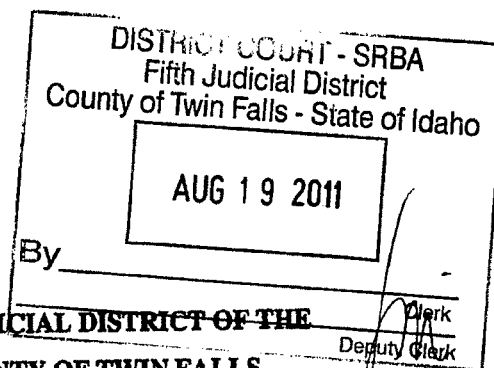




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Subcase No.: 37-158A

STANDARD FORM 5

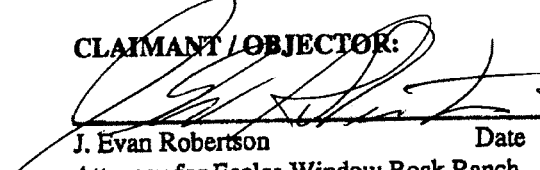
**STIPULATED ELEMENTS OF A
WATER RIGHT**

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.

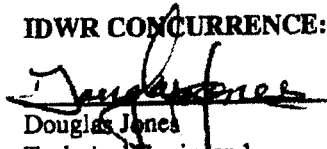
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions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

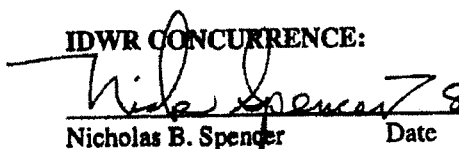
CLAIMANT / OBJECTOR:


J. Evan Robertson Date
Attorney for Eccles Window Rock Ranch

IDWR CONCURRENCE:


Douglas Jones
Technical Engineer 1

IDWR CONCURRENCE:


Nicholas B. Spender
Deputy Attorney General
Attorney for IDWR

02/01/2011

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

RIGHT NUMBER: 37-158A

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY UT 84110

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.400 CFS

This right when combined with all other rights shall provide no more than 3.5
afa per acre for irrigation of the lands above.

Right Nos. 37-158A and 37-577A are limited to a total combined annual
diversion volume of 56 AF.

PRIORITY DATE: 07/01/1881

POINT OF
DIVERSION:

T01N R18E S1 NBNWSW SENWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.400 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S01 NWSW 8.50 T01N R18E S01 SWSW 7.50

16 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 65
acres in a single irrigation season. Combined Right Nos.: 37-577A, 37-158A,
37-22546, 37-22547.

Right Nos. 37-158A and 37-577A are limited to the irrigation of a combined
total of 16 acres in a single irrigation season.

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 - Decreed

Failure of the right holder to comply with the conditions of this transfer no. 3942
is cause for the Director to rescind approval of the transfer.

A measuring device of a type approved by this Department shall be
maintained as a part of the diverting works.

The right holder shall accomplish the change authorized by this transfer no. 3942
within one (1) year of the date of this approval.

Use of water under this water right will be regulated by the watermaster of
State Water District No. 37.

CERTIFICATE OF SERVICE

I certify that on August 18, 2011, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

J. Evan Robertson
P.O. Box 1906
Twin Falls, ID 83303-1906

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Don Harris

Signature of person or attorney mailing the form