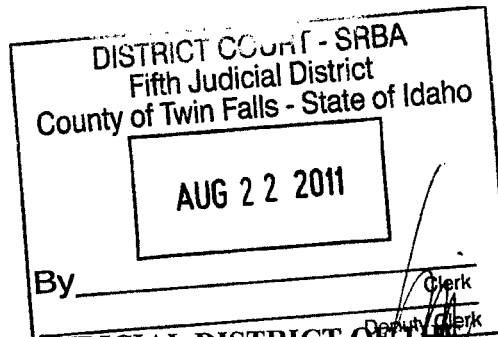




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase No. 47-2365

STANDARD FORM 5

STIPULATED ELEMENTS OF A  
WATER RIGHT

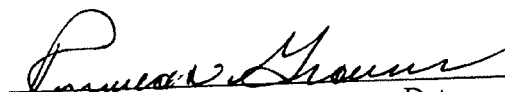
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

 August 15, 2011  
Ronald N. Graves, Trustee Date

**IDWR Concurrency:**

Carter Tuttle 8-17-11  
IDWR Agent Date

Nicholas Spencer 8-18-11  
Nicholas Spencer Date  
Deputy Attorney General

## CERTIFICATE OF MAILING

I certify that on August 19, 2011, 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:

J. R. SIMPLOT SELF-DECLARATION  
OF REVOCABLE TRUST  
RONALD N. GRAVES, TRUSTEE  
PO BOX 27  
BOISE, ID 83707

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

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

02/10/2011

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

RIGHT NUMBER: 47-2365

NAME AND ADDRESS: J. R. SIMPLOT SELF-DECLARATION OF REVOCABLE TRUST  
PO BOX 27  
BOISE ID 83707-0027

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.920 CFS  
1,036.00 AFY

The rights listed below are limited to a total combined diversion rate of 17.21 cfs.

Combined Right Nos.: 47-2365, 2424, 7071, and 7122

The rights listed below are limited to a total combined annual diversion volume of ~~7122-5~~ 7285 af. Combined Right Nos.: 47-2281, 47-2283, 47-2365, 47-2424, 47-7071, 47-7102, 47-7122

Right Nos. 47-2365, 2424, 7071, and 7122 are limited to a total combined annual diversion volume of 4873 AF.

PRIORITY DATE: 09/13/1962

POINT OF  
DIVERSION:

T14S R15E S21 SESENE Within TWIN FALLS County  
T14S R15E S21 NWNWSE Within TWIN FALLS County  
T14S R15E S22 SWSWSW Within TWIN FALLS County  
T14S R15E S23 SWSWSW Within TWIN FALLS County  
T14S R15E S28 SWNENW Within TWIN FALLS County  
T14S R15E S28 SENENW Within TWIN FALLS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>           |
|-----------------------|----------------------|---------------------------|
| IRRIGATION            | 3/01 10/15           | 5.920 CFS<br>1,036.00 AFY |

The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 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 TWIN FALLS County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T14S R15E S14 | SWNW | 40.00 | T14S R15E S14 | SENW | 40.00 |
| T14S R15E S14 | NESW | 40.00 | T14S R15E S14 | NWSW | 40.00 |
| T14S R15E S14 | SWSW | 40.00 | T14S R15E S14 | SESW | 40.00 |
| T14S R15E S15 | SWNE | 40.00 | T14S R15E S15 | NESW | 40.00 |
| T14S R15E S15 | SWSW | 40.00 | T14S R15E S15 | SESW | 40.00 |
| T14S R15E S15 | NWSE | 40.00 | T14S R15E S21 | NENE | 32.00 |
| T14S R15E S21 | NWNE | 30.00 | T14S R15E S21 | SWNE | 40.00 |
| T14S R15E S21 | SENE | 40.00 | T14S R15E S21 | NENW | 40.00 |
| T14S R15E S21 | SENW | 40.00 | T14S R15E S21 | NESW | 38.00 |
| T14S R15E S21 | SESW | 40.00 | T14S R15E S21 | NESE | 40.00 |

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T14S R15E S21 | NWSE | 40.00 | T14S R15E S21 | SWSE | 40.00 |
| T14S R15E S21 | SESE | 40.00 | T14S R15E S22 | NENE | 33.00 |
| T14S R15E S22 | NWNE | 34.00 | T14S R15E S22 | SWNE | 30.00 |
| T14S R15E S22 | SENE | 30.00 | T14S R15E S22 | NENW | 34.00 |
| T14S R15E S22 | NWNW | 36.00 | T14S R15E S22 | SWNW | 31.00 |
| T14S R15E S22 | SENW | 31.00 | T14S R15E S22 | NESW | 40.00 |
| T14S R15E S22 | NWSW | 40.00 | T14S R15E S22 | SWSW | 40.00 |
| T14S R15E S22 | SESW | 40.00 | T14S R15E S22 | NESE | 40.00 |
| T14S R15E S22 | NWSE | 40.00 | T14S R15E S22 | SWSE | 39.00 |
| T14S R15E S22 | SESE | 38.00 | T14S R15E S23 | NENW | 40.00 |
| T14S R15E S23 | NWNW | 40.00 | T14S R15E S23 | SWNW | 40.00 |
| T14S R15E S23 | NWSW | 40.00 | T14S R15E S23 | SWSW | 39.00 |
| T14S R15E S27 | NENE | 33.00 | T14S R15E S27 | NWNE | 35.00 |
| T14S R15E S27 | SWNE | 36.00 | T14S R15E S27 | SENE | 32.00 |
| T14S R15E S27 | NENW | 40.00 | T14S R15E S27 | NWNW | 40.00 |
| T14S R15E S27 | SENW | 40.00 | T14S R15E S28 | NENE | 40.00 |
| T14S R15E S28 | NWNE | 40.00 | T14S R15E S28 | NENW | 24.00 |

2035 ACRES TOTAL

This right is limited to the irrigation of 296 acres within the place of use described above 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 - License

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

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

CV  
NBS