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APR 25 2013

DEPT. OF WATER RESOURCES

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. 63-7533

By _____

Clerk

STANDARD FORM 5

Deputy Clerk

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:

Basin and Range Resource Company, LLC

OBJECTOR:

United States of America

Deputy A. T. M. W. 4-7-2013
By *Deputy A. T. M. W.* Date
Title: *Resident 10th of operating*
OTA

David Negri 4/22/13
David Negri, Attorney Date
Bureau of Land Management

IDWR Concurrence:

for *Jan Shurte* *4-18-13*
Jan Shurte Date
Senior Water Resource Agent

Andrea L. Courtney *4/18/13*
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 63-7533

NAME AND ADDRESS: BASIN & RANGE RESOURCE CO LLC
C/O DOROTHY TIMIAN PALMER
3480 G S RICHARDS BLVD #101
CARSON CITY NV 89703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.450 CFS
27.000 AFY

PRIORITY DATE: 12/17/1971

POINT OF DIVERSION:

T06N R05W S23 NESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

STOCKWATER

01/01 12/31

0.450 CFS
27.00 AFY

PLACE OF USE:

STOCKWATER in PAYETTE CountyT06N R06W R05W S23

NESE

T06N R06W R05W S24

NWSW

The place of use within the NWSW of S24, T06N, R05W is limited to the
west half of that quarter-quarter.

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

Stockwater use is for 2,000 head cattle.

CERTIFICATE OF MAILING

I certify that on April 23, 2013, 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:

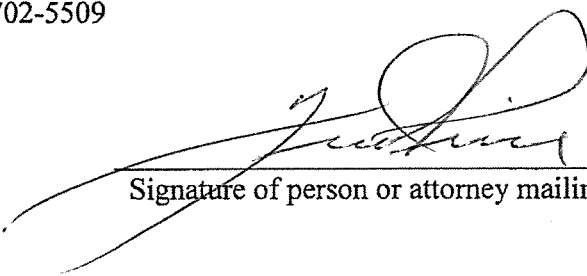
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

BASIN AND RANGE RESOURCE COMPANY, LLC
Represented by:
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE, ID 83702-5509



Signature of person or attorney mailing form