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Department 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

SUBCASE NO: 29-13318

Case No. 39576

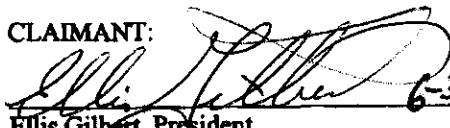
STIPULATION TO RESOLVE  
OBJECTIONS

This form is used to report the stipulated elements of one water right acquired under state law. 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; and 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.

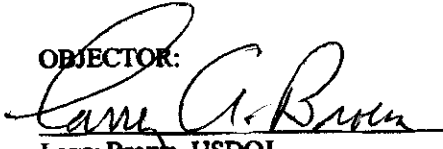
The BLM, claimant and IDWR agree and stipulate that the elements of this water right should be described per the attached and that this stipulation resolves the BLM objection to the Director's Report. The BLM, claimant and IDWR acknowledge that the objections to the Director's Report filed by the McCammon Ditch Co., Portneuf Irrigating Co. and Lava Irrigation Co., Ltd. are still outstanding. The BLM, claimant and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

  
Ellis Gilbert, President  
Portneuf Marsh Valley Canal Co.

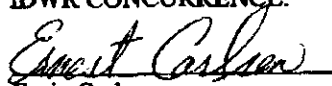
6-30-04  
Date

OBJECTOR:

  
Larry Brown, USDOJ  
Attorney for BLM

7/12/04  
Date

IDWR CONCURRENCE:

  
Ernie Carlsen  
Adjudication Supervisor, Eastern Region

6-22-04  
Date

  
Candice M. McHugh  
Attorney for IDWR

6/22/04  
Date

# **CERTIFICATE OF MAILING**

I certify that on July 2, 2004 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:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 83720  
Boise, ID 83720-0098

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

Larry Brown  
US DOJ  
Attorney for BLM  
550 W. Fort St. MSC 033  
Boise, ID 83724

James Spinner  
Attorney for McCammon Ditch Co.  
P.O. Box 6009  
Pocatello, ID 83205-6009

Randolph Calvin Stone  
Attorney for Portneuf Irrigating Co.  
P.O. Box 910  
Burley, ID 83318

Jerry Rigby  
Attorney for Lava Irrigation Co., Ltd.  
P.O. Box 250  
Rexburg, ID 83440-0250

  
Signature of person or attorney mailing the form

Claim No.:  
29-52, 29-53  
29-589  
29-4060  
29-13318  
29-13319

# Portneuf Marsh Valley Canal Co Service Area Boundary

Boundary  
Township/Range  
Sections

Idaho Department of Water Resources  
1987-88 NAPP Photography  
Prepared by: Susan Calice  
Date Prepared: June 2004



0 1 2 3 Miles

