

JUN 01 2005
DEPARTMENT OF
WATER RESOURCES

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Department of Water Resources

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10/10/2005

Subcase No. 29-13311

STANDARD FORM 5

STIPULATED ELEMENTS OF A 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.

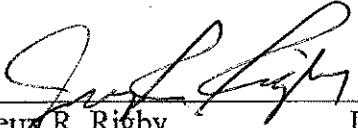
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):
McCammon Ditch Company, LTD.

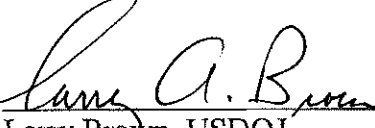
James A. Spinner _____ Date _____
Attorney for Claimant/Objector

OBJECTOR(s):

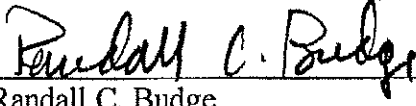
Lava Irrigation Company, Inc.

 5-18-05
Jerry R. Rigby Date
Attorney for Objector

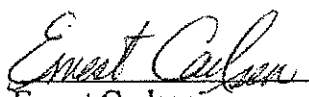
Bureau of Land Management

 5/24/2005
Larry Brown, USDOJ
Attorney for BLM

Marsh Valley Development, Inc.

 4/21/05
Randall C. Budge
Attorney for Objector

IDWR Concurrence:

 4-26-2005
Ernest Carlsen Date
IDWR Adjudication Supervisor

 4-27-05
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 29-13311

NAME AND ADDRESS: MC CAMMON DITCH CO LTD
10192 S HALL RD
MC CAMMON ID 83250

SOURCE: PORINEUF RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 50.000 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 68.95 CFS. COMBINED RIGHT NOS.: 29-57, 29-58,
29-13311 AND 29-13317 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
50.0 CFS.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

109S R37E S21 SENE Lot 1 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	04/01 12/31	10.000 CFS
IRRIGATION	04/01 10/31	50.000 CFS

PLACE OF USE:

2794.5 ACRES TOTAL

Place of use is within the area served by the McCammon Ditch Company LTD. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 2794.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-57, 29-58, 29-13311, 29-13317.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~THIS WATER RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 29.~~

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: Beneficial Use

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: 29-57, 29-58, 29-13311, 29-13317

Claim No.:
29-57
29-58
29-13311
29-13317

McCammon Ditch Co Service Area Boundary

Boundary
Township/Range
Sections

Video Deposition of Water Resources
1987-88 NAPP Photography
Prepared by: Elmer Calaca
Date Prepared: July 2004



0 0.5 1 1.5 Miles



T09S R36E

T09S R37E

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CERTIFICATE OF MAILING

I certify that on May 24, 2005, 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:

IDWR REPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

MC CAMMON DITCH CO LTD
Represented by:
JAMES A. SPINNER
PO BOX 6009
POCATELLO, ID 83205

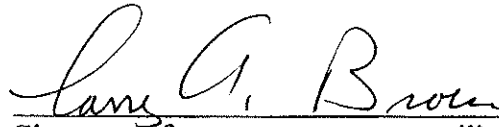
LAVA IRRIGATION CO INC
Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250

MARSH VALLEY DEVELOPMENT INC
Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391

USDI BLM

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NAIL' RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

A handwritten signature in cursive script, reading "Lane A. Brown", is written over a horizontal line.

Signature of person or attorney mailing the form