

In Re SRBA
Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A WATER RIGHT

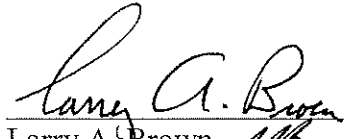
Independent Irrigation Co.

W. Ronald Shippen 9-6-05 Gerald Raymond 9/13/05
W. Ronald Shippen Date Gerald Raymond Date
President Secretary

1

OBJECTOR(s):

Bureau of Land Management

 9/20/05
Larry A. Brown  Date
Attorney for BLM

IDWR Concurrence:

 9/22/05
Ernest Carlsen Date
IDWR Adjudication Supervisor

 8/22/05
Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 25-4085

NAME AND ADDRESS: INDEPENDENT IRRIGATION CO
755 N 3400 E
MENAN ID 83434

SOURCE: SCOTTS SLOUGH

TRIBUTARY: SINKS

QUANTITY: 44.000 CFS

PRIORITY DATE: 06/01/1884

POINT OF
DIVERSION:

T05N R38E S26 NESWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	44.000 CFS
STOCKWATER	01/01 12/31	0.140 CFS

PLACE OF USE:

3490 ACRES TOTAL

Place of use is within the area served by Independent Irrigation Company.

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.

This right is limited to the irrigation of 2200 acres within the place of use described above in a single irrigation season.

Place of use does not include federal public lands

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

Rights have also been claimed to water from Basin 01 for the same purpose of use at the same place of use described above, which will be included in a Directors Report to be filed at a later date. Any water rights recommended in the Basin 01 report for the same purpose of use at the same place of use described above will contain combined use limitations for this right and the Basin 01 rights.

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Long Island Irrigation Co.

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

CERTIFICATE OF MAILING

I certify that on September 22, 2005, I mailed the original and copies of this form, including all attachments, 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. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Independent Irrigation Co.
755 N. 3400 E.
Menan, ID 83434

Blair J. Grover
Grover & Butikofer, PA
P.O. Box 36
Rigby, ID 83442

Kathy Jackson
Signature of person or attorney mailing the form

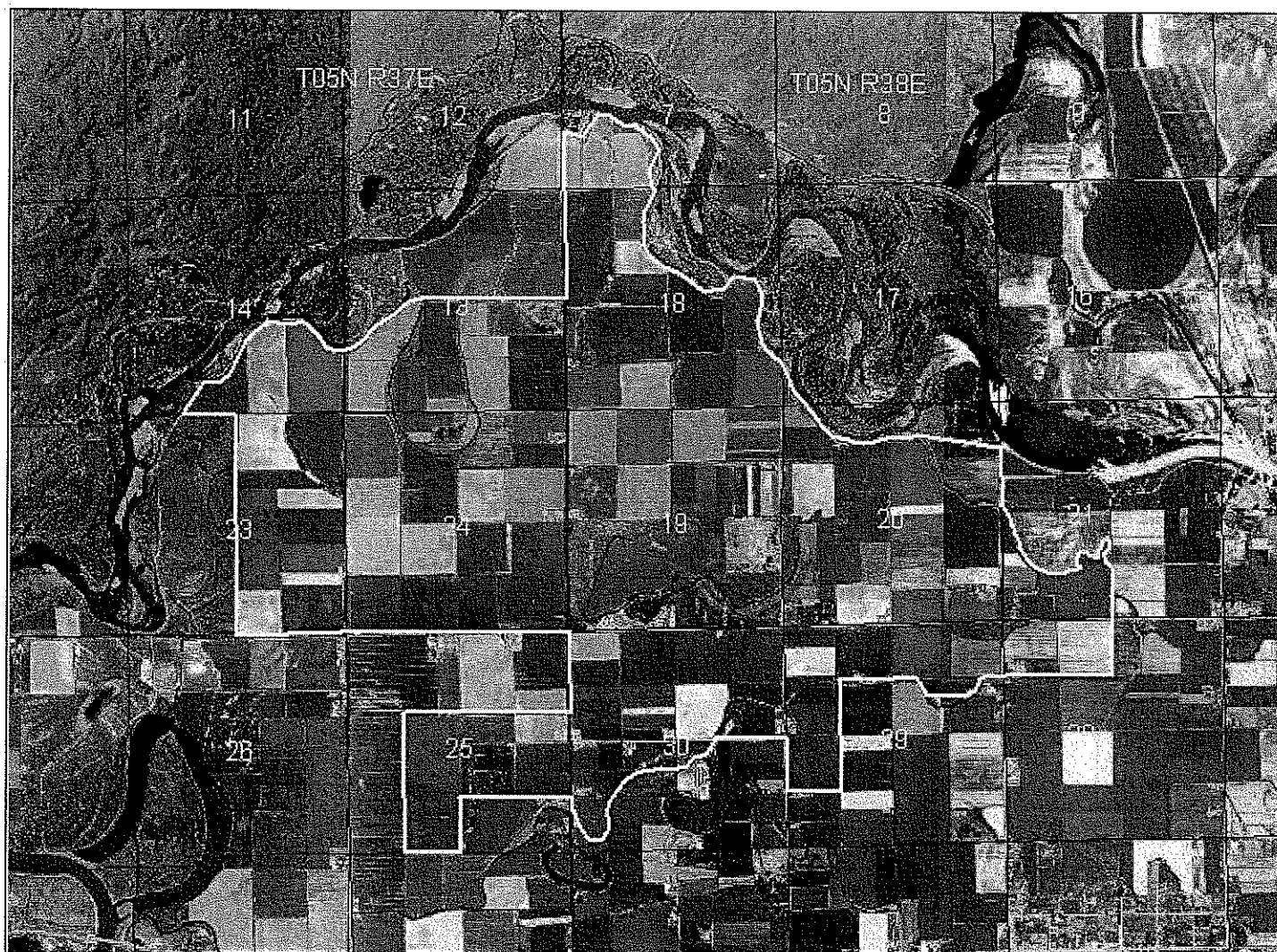
Department of Water Resources

Water Right No.: 25-4085, 25-4086

Independent Irrigation Co.

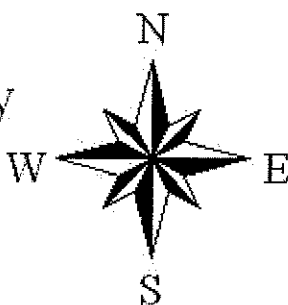
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Handwritten signature
EMC



0 1 2 3 Miles

-  Service Area Boundary
-  Township/Range
-  Sections



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Ernie Carlsen
Date: August 2005