

RECEIVED
OCT 14 2005
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

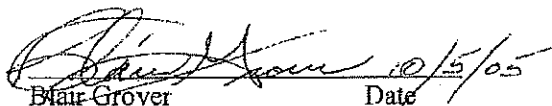
In Re SRBA	)	Subcase No. 25-00224
	)	
Case No. 39576	)	AMENDED ^{LAB}
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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.

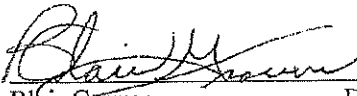
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):
Idaho Irrigation District

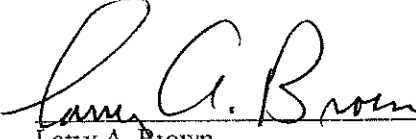

Blair Grover Date 10/15/05
Attorney for Claimant

AMENDED ^{LAB}
STANDARD FORM 5 - 25-00224

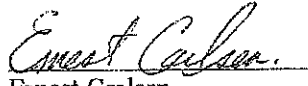
OBJECTOR(s):
Idaho Irrigation District

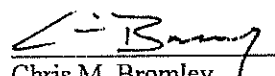

Blair Grover 10/5/05
Attorney for Objector Date

Bureau of Land Management


Latty A. Brown 10/11/05
Attorney for BLM Date

IDWR Concurrence:


Ernest Carlsen 10/5/05
IDWR Adjudication Supervisor Date


Chris M. Bromley 10/6/05
Deputy Attorney General Date
Attorney for IDWR

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

RIGHT NUMBER: 25-224

NAME AND ADDRESS:

IDAHO IRRIGATION DIST
C/O SONJA TAWZER SEC
496 E 14TH
IDAHO FALLS ID 83404

SOURCE:

Source:

Tributary:

WILLOW CREEK

SNAKE RIVER

QUANTITY:

160 000 CFS

PRIORITY DATE:

05/01/1889

POINT OF DIVERSION:

T02N R38E S15 NESW
Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

160 000 CFS

PLACE OF USE:

35,995 ~~25,300~~ ACRES TOTAL

Place of use is within the boundary of Idaho Irrigation District pursuant to Section 43-323, Idaho Code

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.

Place of use does not include federal public lands

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CERTIFICATE OF MAILING

I certify that on Oct. 11, 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

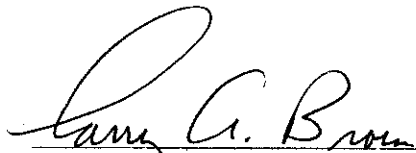
2. USDI BUREAU OF RECLAMATION

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

DAHO IRRIGATION DIST

Represented by:
BLAIR J. GROVER
215 FARNSWORTH WAY
PO BOX 36
RIGBY, ID 83442-0036

IDWR REPOSITORY
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form

AMENDED *Jan*

STANDARD FORM 5 - 25-00224