

**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.: 45-12448

Case No. 39576)

STANDARD FORM 5

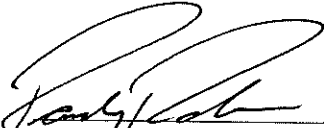
**STIPULATED ELEMENTS OF A
WATER RIGHT**

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.

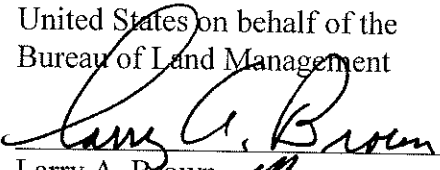
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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.

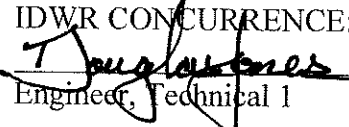
CLAIMANT:

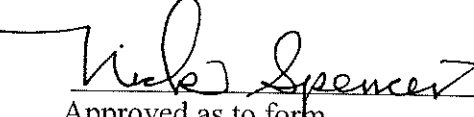

 _____ 5-16-06
 for Oakley Canal Company Date

OBJECTOR:

United States on behalf of the
 Bureau of Land Management

 _____ 5/31/06
 Larry A. Brown, *IB* Date
 Attorney, U.S. Department of Justice
 Environment and Natural Resources

IDWR CONCURRENCE:


 _____ 4/11/06
 Engineer, Technical 1 Date


 _____ 4-27-06
 Approved as to form Date
 Attorney for IDWR

CLAIMANT:

William Parsons 5-18-06
William A. Parsons Date
Attorney for Oakley Canal Co.

09/16/2005

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

RIGHT NUMBER: 45-12448
NAME AND ADDRESS: OAKLEY CANAL CO
PO BOX 207
OAKLEY ID 83346

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.130 CFS
94.10 AFY

PRIORITY DATE: 01/01/1921

POINT OF DIVERSION:
T14S R21E S34 SWNE NE Within CASSIA County
T14S R21E S34 SWNE NE Injection Within CASSIA County
T14S R22E S19 SWNE NE Rediversion Within CASSIA County
T15S R21E S5 SESE NE Injection Within CASSIA County
T15S R21E S5 SESE NE Injection Within CASSIA County
T15S R21E S5 SESE NE Within CASSIA County
T15S R21E S5 SESE NE Within CASSIA County

Handwritten signatures and initials:
LAK
NBS
MS

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	03/15 11/15	94.10 AFY
DIVERSION TO STORAGE	01/01 12/31	0.130 CFS
IRRIGATION STORAGE	01/01 12/31	94.10 AFY

PLACE OF USE: 27550 ACRES TOTAL

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 is within the area served by Oakley Canal Company.

Use of the rights listed below is limited to the irrigation of a combined total of 27,550 acres in a single irrigation season. Combined right nos.: 45-93, 45-94, 45-132, 45-133, 45-2040, 45-2059, 45-2060, 45-2062, 45-2063, 45-12438, 45-12443, 45-12448, 45-12449, 45-12455, 45-12457, 45-12749, & 45-12750.

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.

CERTIFICATE OF SERVICE

I certify that on May 31, 2006, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

2. Copies to:

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

Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

Oakley Canal Co.
P.O. Box 207
Oakley, ID 83346

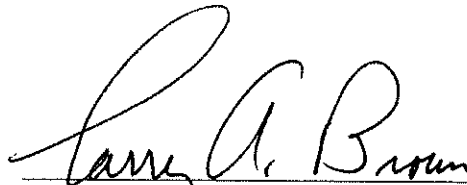
Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

U.S. Dept. of Justice
Environment & Nat'l Resources Div.
550 W. Fort St. MSC 033
Boise, ID 83724

Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

William A. Parsons
Parsons Smith & Stone, LLP
137 W. 13th St.
P.O. Box 910
Burley, ID 83318

Overnight Mail
 Regular Mail
 Hand-Delivered
 Facsimile

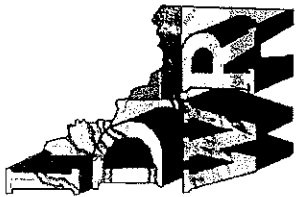


Signature of person or attorney mailing the form

Idaho Department of Water Resources

Oakley Canal Company
Service Area Boundary

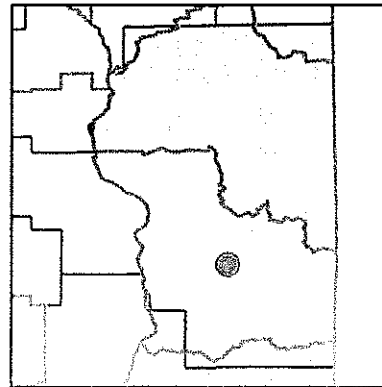
Recommended Place of Use



Legend

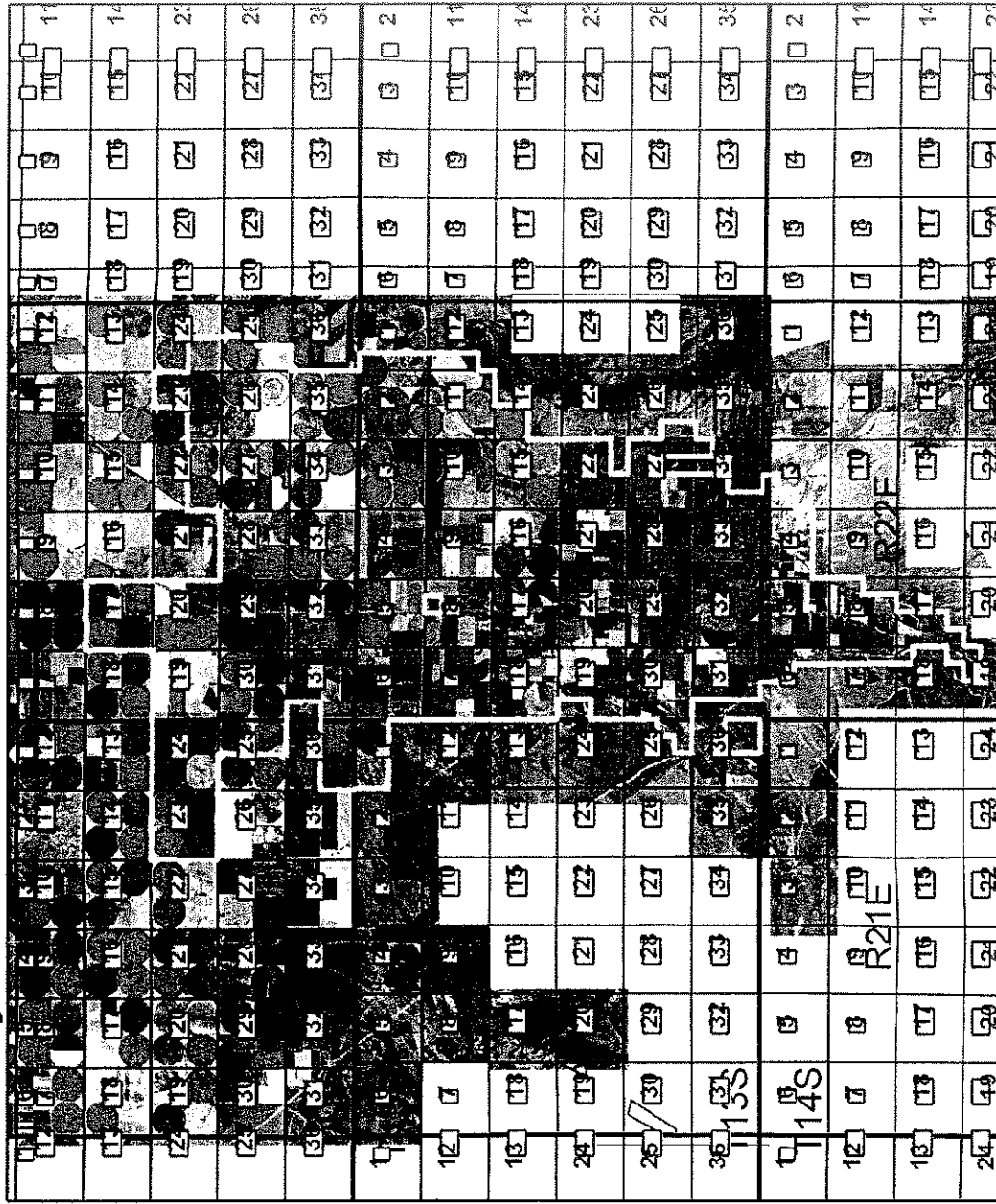
Recommended Place of Use

- Township/Range Lines
- Section Lines



Cassia County
IDWR Basin 45

Prepared by D. Shaiff
On Monday, August 22, 2005
1987/88 Aerial Photography



0 6 12 Miles

