

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. 21-133A
	)	
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(s)/OBJECTOR(s):

The Salisbury Corporation


C. Timothy Hopkins Date
Attorney for The Salisbury Corporation

RECEIVED

SEP 05 2006

Department of Water Resources
Eastern Region

STANDARD FORM 5 -21-133A

IDWR Concurrence:

Ernie Carlsen 8-25-06.
Ernie Carlsen Date
IDWR Manager

Nicholas Spencer 9-8-06
Nicholas Spencer (as to form) Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on September 11, 2006, 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:

C. Timothy Hopkins
PO Box 51219
Idaho Falls, ID 83405-1219

The Salisbury Corporation
5518 The Toledo
Long Beach, CA 90803

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person mailing the form

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

RIGHT NUMBER: 21-133A

NAME AND ADDRESS:

THE SALISBURY CORP
3940 HWY 87
ISLAND PARK ID 83429

THE SALISBURY CORP
5518 THE TOLEDO
LONG BEACH CA 90803

SOURCE:

Source:
HOWARD CREEK

Tributary:

HENRYS FORK

QUANTITY: 5.170 CFS

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T15N R43E S14 NESWNW
Within FREMONT County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

05/01 10/31

5.170 CFS

PLACE OF USE:

IRRIGATION

within FREMONT County

~~T15N R43E S10 CWSW 28.0~~

~~T15N R43E S10 SESW 40.0~~

T15N R43E S10 NESE 10.0

~~T15N R43E S10 SWSE 40.0~~

T15N R43E S10 SESE 31.0

T15N R43E S14 NWNW 12.0

~~T15N R43E S14 NWNW 40.0~~

T15N R43E S14 SWNW 29.0

~~T15N R43E S14 SWNW 40.0~~

T15N R43E S14 NWSW 23.0

~~T15N R43E S14 NWSW 40.0~~

T15N R43E S15 NENE 40.0

~~T15N R43E S15 NENE 40.0~~

~~T15N R43E S15 SENE 40.0~~

~~T15N R43E S15 SENE 40.0~~

~~T15N R43E S15 NENW 40.0~~

T15N R43E S15 SENE 27.0

~~T15N R43E S15 NENW 40.0~~

T15N R43E S15 NESE 5.9

~~T15N R43E S15 NESE 40.0~~

177.9 ACRES TOTAL

468 ACRES TOTAL

Right Nos. 21-76A and 21-133A are limited to the irrigation of a combined total of 177.9 acres in a single irrigation season.

~~The rights listed below are limited to the irrigation of a combined total of 468 acres in a single irrigation season. Combined Right Nos. 21-26A, 21-76A, 21-77A, 21-133A~~

~~This right is limited to the irrigation of 258.5 acres within the place of use described above in a single irrigation season.~~

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed