

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 SEP 13 AM 9 38

RECEIVED

SEP 14 2006

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

Case No. 39576

) Subcase No. 21-77A
)
)
)
)
)
)

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

217 replies 9/1/06

C. Timothy Hopkins

Date

Attorney for The Salisbury Corporation

IDWR Concurrence:

<u>Ernie Carlsen</u>	<u>8-25-06</u>	<u>Nick Spencer</u>	<u>9-8-06</u>
Ernie Carlsen	Date	Nicholas Spencer (as to form)	Date
IDWR Manager		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

DISTRICT COURT - ORBA
IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAWS CO., IDAHO
FILED

2008 SEP 13 AM 9 38

RIGHT NUMBER: 21-77A

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:

Tributary:

TARGHEE CREEK

HENRYS FORK

HOWARD CREEK

QUANTITY:

3.360 CFS

3.060 CFS

PRIORITY DATE:

06/01/1900

POINT OF DIVERSION:

T15N R43E S11 NENENW
Within FREMONT County

T15N R43E S14 NESWNW
Within FREMONT County
Quantity:

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

IRRIGATION

05/01 10/31

3.360 CFS

3.060 CFS

PLACE OF USE: IRRIGATION

within FREMONT County

T15N R43E S10 SWSW 28.0
T15N R43E S10 SEEW 40.0

T15N R43E S10 NESE 29.0

T15N R43E S10 NWSE 15.0

T15N R43E S10 SWSE 40.0

T15N R43E S10 SESE 9.0

T15N R43E S11 SWNW 40.0

T15N R43E S11 NWSW 40.0

T15N R43E S11 SWSW 31.0

T15N R43E S14 NWNW 40.0

T15N R43E S14 SWNW 40.0

T15N R43E S14 NWSW 40.0

T15N R43E S15 NENE 40.0

T15N R43E S15 NWNE 40.0

T15N R43E S15 SENE 40.0

T15N R43E S15 SESE 40.0

T15N R43E S15 NENW 40.0

T15N R43E S15 NESE 40.0

164 ACRES TOTAL

468 ACRES TOTAL

Right Nos. 21-36A and 21-77A are limited to the irrigation of a combined total of 164 acres in a single irrigation season.

This right is limited to the irrigation of 245 acres within the place of use described above 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. 21-36A, 21-76A, 21-77A, 21-133A

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