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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. 1-119

Case No. 39576

STIPULATION TO RESOLVE
USDI-BLM OBJECTION

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 claimant, Lowder Slough Canal Company, objector, USDI-BLM, and IDWR agree and stipulate that the place of use element of this water right should be described per the attached recommendation. The parties and IDWR further agree and stipulate that the attached is an accurate digital depiction of the boundary for the Lowder Slough Canal Company produced by IDWR. This stipulation resolves only the USDI-BLM's objection to the irrigated acres within the place of use. The USDI-BOR has also filed an objection to the season of use element of this water right recommendation. The USDI-BOR objection will proceed separately.

CLAIMANT(s):

Lowder Slough Canal Company

Lois Poole

Date

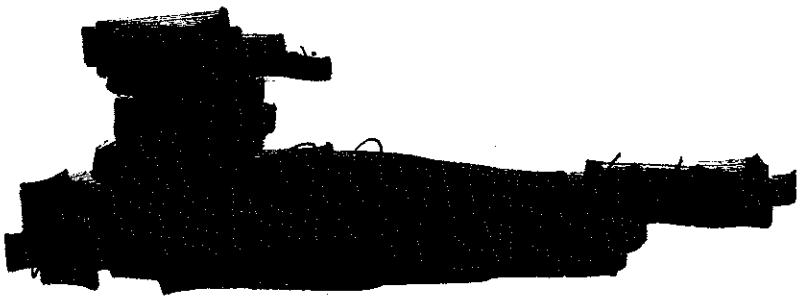
OBJECTOR(s):

USDI-BLM

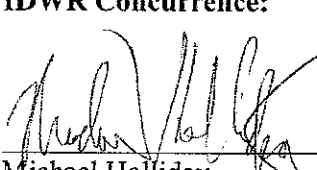
Larry A. Brown

Date

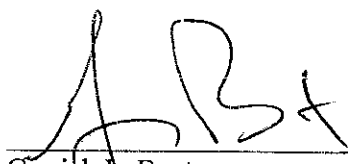
Attorney for the US Dept of Justice



IDWR Concurrence:

 5/8/07

Michael Holliday Date
IDWR Senior Water Resource Agent

 5/10/07

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on 5/21, 2007, 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:

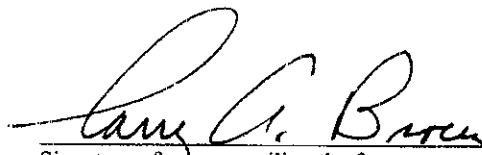
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

United States of America
US Dept of Justice
Environment and Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Lowder Slough Canal Co.
c/o Lois Poole
4483 E 400 N
Rigby, ID 83442

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: 1-119

NAME AND ADDRESS: LOWDER SLOUGH CANAL CO
C/O LOIS POOLE
4483 E 400 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
Water is delivered from the Dry Bed.

QUANTITY: 26 000 CFS

PRIORITY DATE: 06/01/1890

POINT OF
DIVERSION: T04N R40E S29 NENENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	10 000 CFS
IRRIGATION	04/01 10/31	26 000 CFS

PLACE OF USE:

987 ACRES TOTAL

Place of use is within the area served by Lowder Slough Canal 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.

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

Diversion of this right for stockwater purposes between November 1 and April 30 is subject to the provisions for saving winter water as recognized in the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969).

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

Stockwater use is for 980 range cattle and 320 dairy cattle

Water is delivered through Lowder Slough Canal



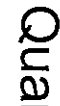
Lowder Slough Canal Co

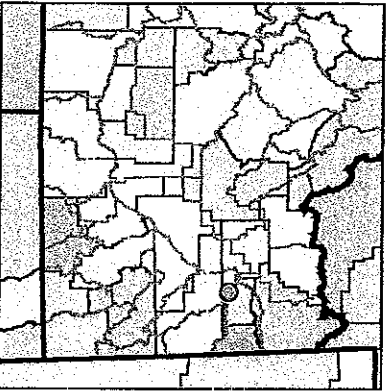
SRBA Recommendations: 1-119, 1-120, 1-237

Handwritten initials/signature

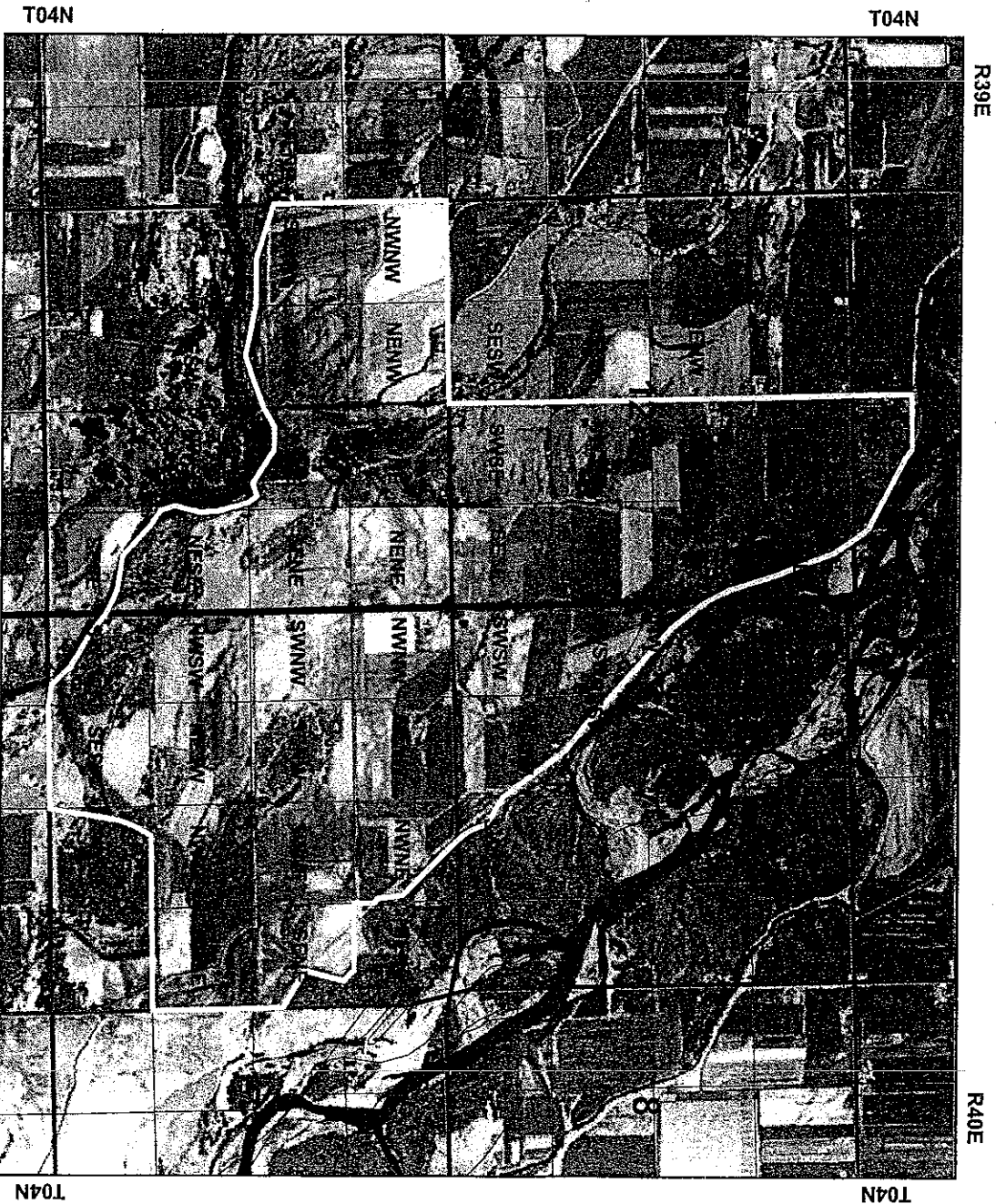
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Jefferson, Madison Counties
IDWR Basin 1



Prepared by D. Favreau
On Tuesday, May 8, 2007
1987/88 Aerial Photography