

**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. 21-12955

**STIPULATION TO RESOLVE  
USDI-BLM OBJECTION**

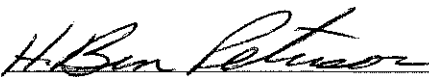
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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, Southeast Idaho Canal Co., 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 Southeast Idaho Canal Co. produced by IDWR. This stipulation resolves only the USDI-BLM's objection to the irrigated acres within the place of use.**

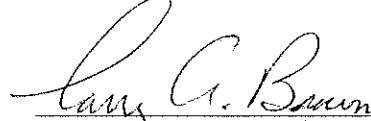
**CLAIMANT(s):**

Southeast Idaho Canal Company

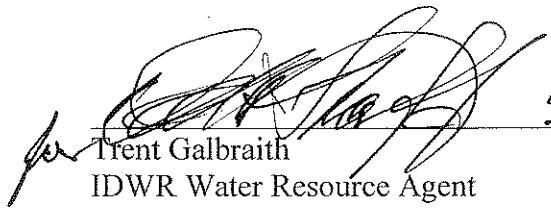
 8-31-07  
Authorized Signature Date

**OBJECTOR(s):**

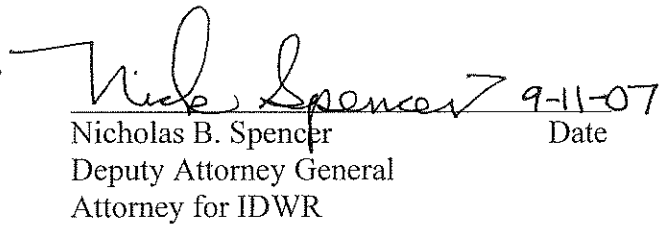
USDI-BLM

 9/12/2007  
Larry A. Brown FWP Date  
Attorney for the US Dept of Justice

**IDWR Concurrence:**

  
Trent Galbraith  
IDWR Water Resource Agent

9-11-07  
Date

  
Nicholas B. Spencer  
Deputy Attorney General  
Attorney for IDWR

9-11-07  
Date

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

RIGHT NUMBER: 21-12955

NAME AND ADDRESS: SOUTHEAST IDAHO CANAL CO  
PO BOX 15  
ST ANTHONY ID 83445

SOURCE: HENRYS FORK

TRIBUTARY: SNAKE RIVER

QUANTITY: 26.000 CFS

PRIORITY DATE: 06/01/1889

POINT OF  
DIVERSION:

T08N R41E S33 NWNE Within FREMONT County

Rights 21-12902, 21-12920, 21-12907, 21-12955, 21-12954 are diverted  
through the point(s) of diversion described above.

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 06/30

26.000 CFS

PLACE OF USE:

16274.8 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.

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

This right is a split from former right 21-12942 .

SF5: 21-12955

## CERTIFICATE OF MAILING

I certify that on 9/17, 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

Egin Bench Canals Inc  
Southeast Idaho Canal Company  
PO Box 15  
St. Anthony, ID 83445

C Thomas Arkoosh  
301 Main St  
PO Box 32  
Gooding, ID 83330

State of Idaho  
Natural Resources Div Chief  
Attorney General's Office  
PO Box 44449  
Boise, ID 83711-4449

Travis L Thompson  
113 Main Ave W, Ste 303  
PO Box 485  
Twin Falls, ID 83303-0485

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

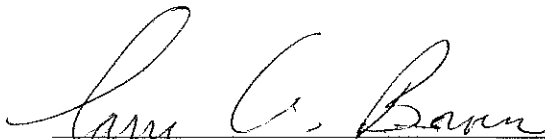
David W Gehlert  
US Dept of Justice, Natural Resources Sec  
Environment and Natural Resources  
1961 Stout St – 8<sup>th</sup> Floor  
Denver CP 80294

Jerry Rigby  
25 N 2<sup>nd</sup> E  
PO Box 250  
Rexburg, ID 83440-0250

John Simpson  
1010 W Jefferson, Ste 102  
PO Box 2139  
Boise, ID 83701-2139

Roger Ling  
615 H St  
PO Box 396  
Rupert, ID 83350-0396

W Kent Fletcher  
1200 Overland Ave  
PO Box 248  
Burley, ID 83318

  
Signature of person mailing the form



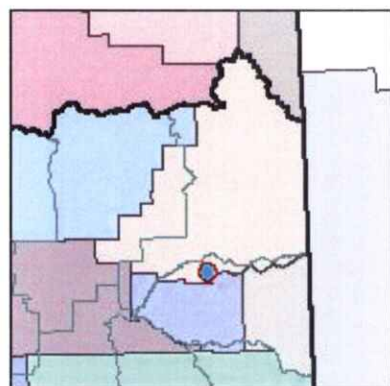
# Southeast Idaho Canal Co

SRBA Recommendations: 21-12902, 21-12907, 21-12911, 21-12919, 21-12920, 21-12953, 21-12954, 21-12955, 21-12956

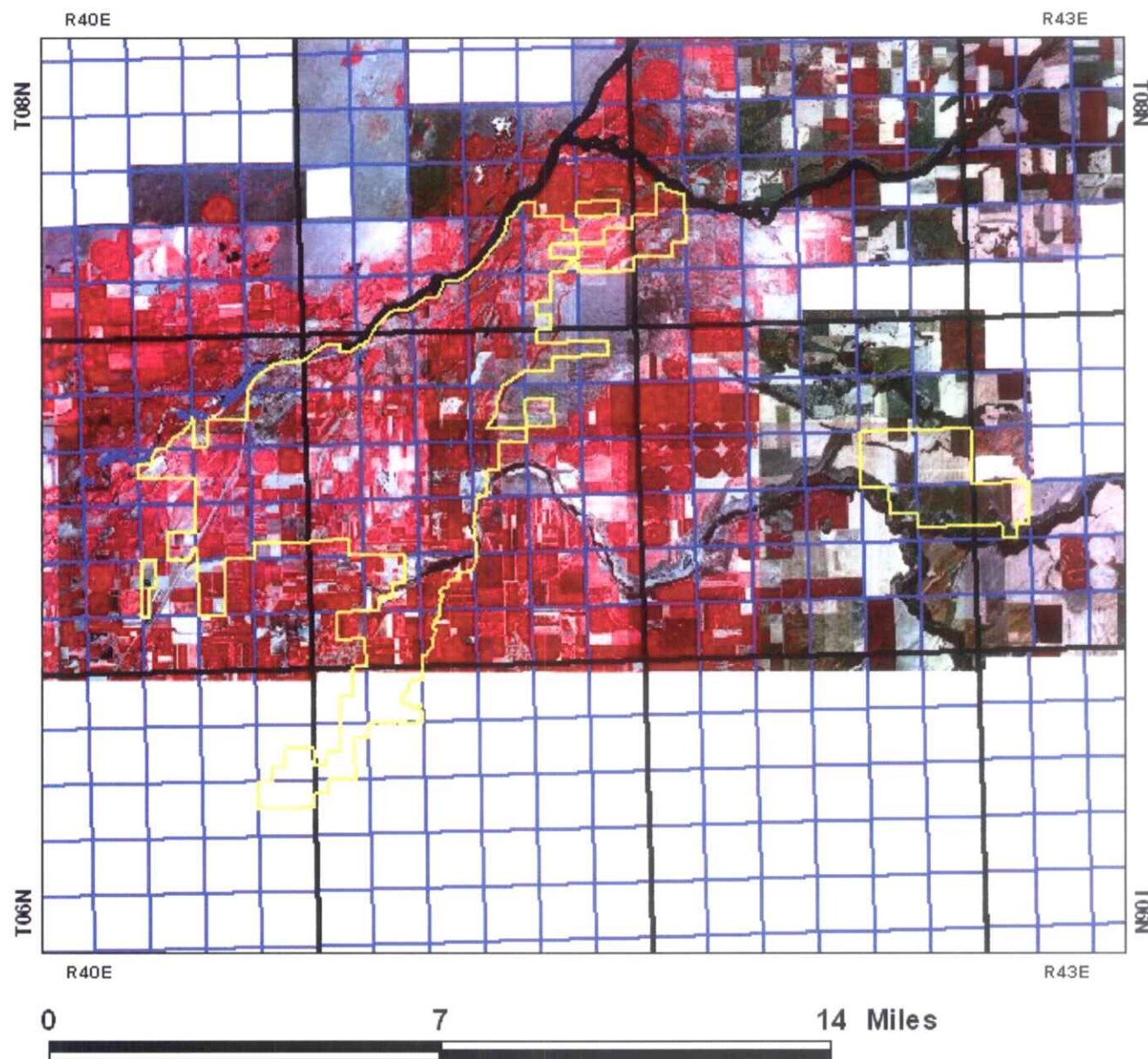
Service Area Boundary  
GIS Place of Use Illustration

## Legend

-  Service Area
-  Townships
-  PLS Sections



Fremont, Madison Counties  
IDWR Basin 21



Prepared by D. Favreau  
On Friday, September 14, 2007  
1987/88 Aerial Photography