

COPY

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 20 2007

By _____ Clerk _____

RECEIVED
SEP 19 2007
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

RECEIVED

In Re SRBA

Subcase No. 21-8

Case No. 39576

SEP 25 2007
DEPARTMENT OF
WATER RESOURCES

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.

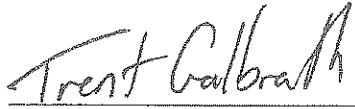
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions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

George Nedrow 9/17/07
George Nedrow Date
authorized representative

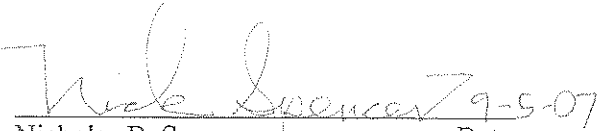
IDWR Concurrence:



Trent Galbraith
IDWR Water Resource Agent

8-9-07

Date



Nicholas B. Spencer
Deputy Attorney General

9-5-07
Date

CERTIFICATE OF MAILING

I certify that on 9/20, 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:

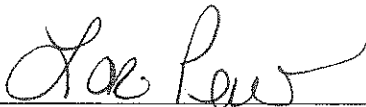
1. Original to:

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:

Arcadia Reservoir & Canal Co Ltd
c/o George Nedrow
1361 N 3125 E
Ashton, ID 83420

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: 21-8
NAME AND ADDRESS: ARCADIA RESERVOIR & CANAL CO LTD
C/O GEORGE NEDROW
1361 N 3125 EAST
ASHTON ID 83420
SOURCE: UPPER SAND CREEK TRIBUTARY: HENRYS-FORK SINKS
QUANTITY: 6.700 CFS
1,182.000 AFY

Right Nos. 21-00008 and 21-13009 are limited to a total combined diversion rate of 6.7 cfs and to a total combined annual diversion volume of 1182 AF.

PRIORITY DATE: 05/15/1890

POINT OF DIVERSION:

~~T09N R41E S2 NW1/4 Within FREMONT County~~
~~T09N R41E S2 NW1/4 Injection Within FREMONT County~~
~~T09N R41E S2 SE1/4 Injection Within FREMONT County~~
~~T09N R41E S2 SE1/4 Within FREMONT County~~
~~T09N R41E S14 SE1/4 Rediversion Within FREMONT County~~
T09N R41E S2 SW1/4 Lot 4 Within FREMONT County
T09N R41E S2 SE1/4 Injection Within FREMONT County
T09N R41E S2 NE1/4 Rediversion Within FREMONT County
T09N R41E S14 SE1/4 Rediversion Within FREMONT County
T09N R41E S24 SE1/4 Rediversion Within FREMONT County

TR
NBS
BM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	1,182.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	1,182.00 AFY
IRRIGATION	04/01 10/31	6.700 CFS

PLACE OF USE:

2893.9 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 Arcadia Reservoir & Canal Co. Ltd..

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

SF5: 21-8