

COPY

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

SEP 20 2007

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DEPARTMENT OF
WATER RESOURCES

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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

Case No. 39576

Subcase No. 21-13009

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
George Nedrow
authorized representative

9/17/07
Date

IDWR Concurrence:

Trent Galbraith 8-9-07
Trent Galbraith Date
IDWR Water Resource Agent

Nicholas B. Spencer 9-5-07
Nicholas B. Spencer Date
Deputy Attorney General

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: 21-13009

NAME AND ADDRESS: ARCADIA RESERVOIR & CANAL CO LTD
C/O GEORGE NEDROW
1361 N 3125 EAST
ASHTON ID 83420

SOURCE: PINE CREEK
UPPER SAND CREEK

TRIBUTARY: SAND CREEK
TRIBUTARY: HENRY'S FORK SINKS

QUANTITY: 4.000 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: 05/18/1890

POINT OF DIVERSION:

~~T09N R41E S2 NWNECN Within FREMONT County~~

~~T09N R41E S2 NWNECN Within FREMONT County~~

~~T09N R41E S14 SENWSE Within FREMONT County~~

~~T09N R42E S32 NWSWNW Within FREMONT County~~

T09N R41E S2 SWNNW Lot 4 Within FREMONT County

T09N R41E S2 NESW Injection Within FREMONT County

T09N R41E S2 NESW Within FREMONT County

T09N R41E S2 NESW Rediversion Within FREMONT County

T09N R41E S14 SENWSE Rediversion Within FREMONT County

T09N R41E S14 SENWSE Rediversion Within FREMONT County

T09N R41E S24 SWSESW Rediversion Within FREMONT County

T09N R41E S24 SWSESW Rediversion Within FREMONT County

T09N R42E S32 NWSWNW Injection Within FREMONT County

The dam on Lower Arcadia Reservoir located in T09N R41E S2 NESW is a point of diversion for Pine Creek water a point of rediversion for Upper Sand Creek water and a point of injection for both.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	4.000 CFS
STOCKWATER STORAGE	01/01 12/31	1,182.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	1,182.00 AFY

PLACE OF USE:

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 - Beneficial Use

SF5: 21-13009