

DEPARTMENT OF
WATER RESOURCES

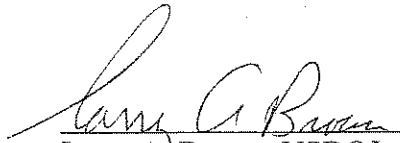
In Re SRBA	)	Subcase No. 01-31
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

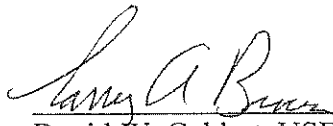
President

OBJECTOR(s):

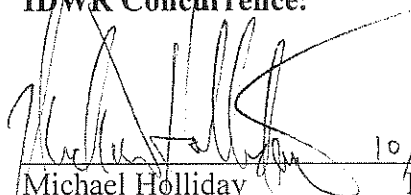
United States of America
Bureau of Land Management

United States of America
Bureau of Reclamation

 10/12/07
Larry A. Brown, USDOJ ^{fwp} Date
Attorney for Objector

 10/12/07
for David W. Gehlert, USDOJ Date
Attorney for Objector

IDWR Concurrence:

 10/5/2007
Michael Holliday Date
Senior Water Resource Agent

 10/11/07
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-31

NAME AND ADDRESS: BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed at the main canal heading located at T4N R40E S20 SESESW.

QUANTITY: 380.000 CFS

PRIORITY DATE: 06/10/1888

POINT OF
DIVERSION:

T03N R37E S13 NWSESW Within BONNEVILLE County
T04N R37E S23 SWSESW Lot 2 Within JEFFERSON County
T04N R37E S23 SESESW Lot 4 Within JEFFERSON County
T04N R37E S36 NWNWNW Lot 1 Within JEFFERSON County
T04N R37E S36 NESWNW Lot 2 Within JEFFERSON County
T04N R37E S36 NWSESW Within JEFFERSON County
T04N R40E S20 SESESW Within JEFFERSON County

*My A
for*

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	380.000 CFS

PLACE OF USE:

19492 ACRES TOTAL

Place of use is within the area served by Burgess Canal & Irrigating 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:

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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Water is delivered through Burgess Canal, Carlson north pump, Carlson south pump, Offutt pump, Hansen pump, Butikofer pump, and Idaho Canal. Water diverted into the Idaho Canal is rediverted at the Cenell pump, the Yorgenson (Gray) pump, and the Mackay pump.



Burgess Canal & Irrigating Co

SRBA Recommendations: 1-29, 1-31, 1-32, 1-33, 1-35P, 1-117P, 1-249, 1-353, 1-10093, 1-10418

Handwritten signatures and initials

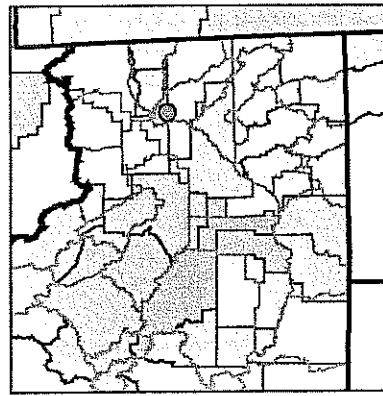
Service Area Boundary
GIS Place of Use Illustration

Legend

Place of Use

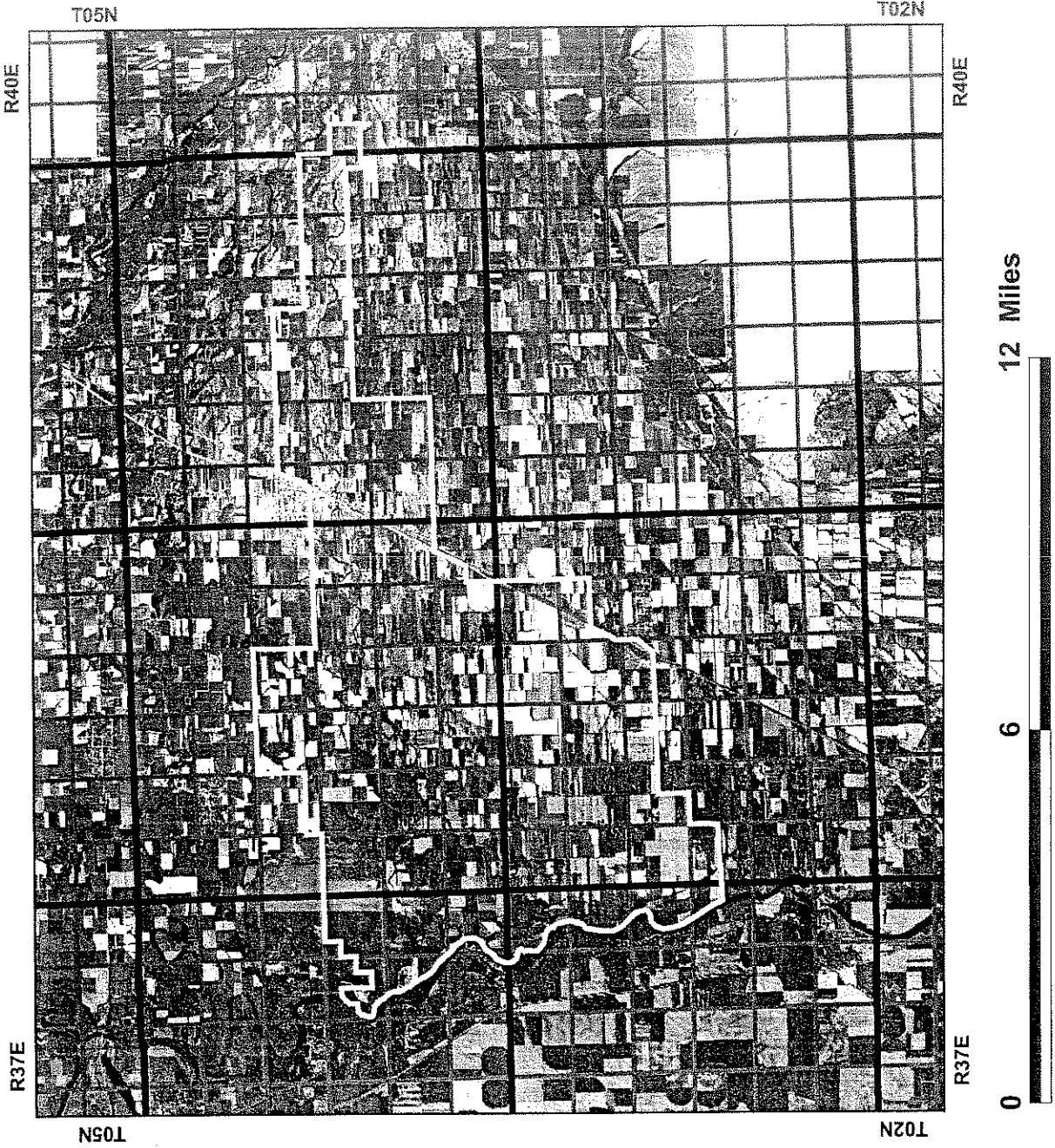
Townships

PLS Sections



Bonneville, Jefferson Counties
IDWR Basin 1

Prepared by D. Favreau
On Thursday, September 27, 2007
1987/88 Aerial Photography



CERTIFICATE OF MAILING

I certify that on Oct. 18, 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
USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BURGESS CANAL & IRRIGATING CO
C/O CHRIS BOLTER SEC
PO BOX 536
RIGBY, ID 83442

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098


Signature of person or attorney mailing the form



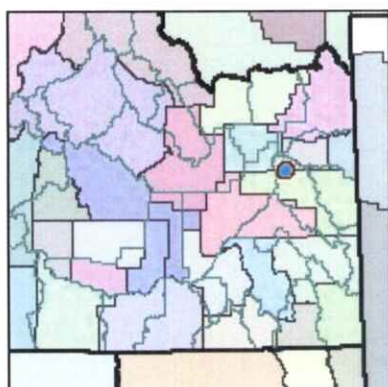
Burgess Canal & Irrigating Co

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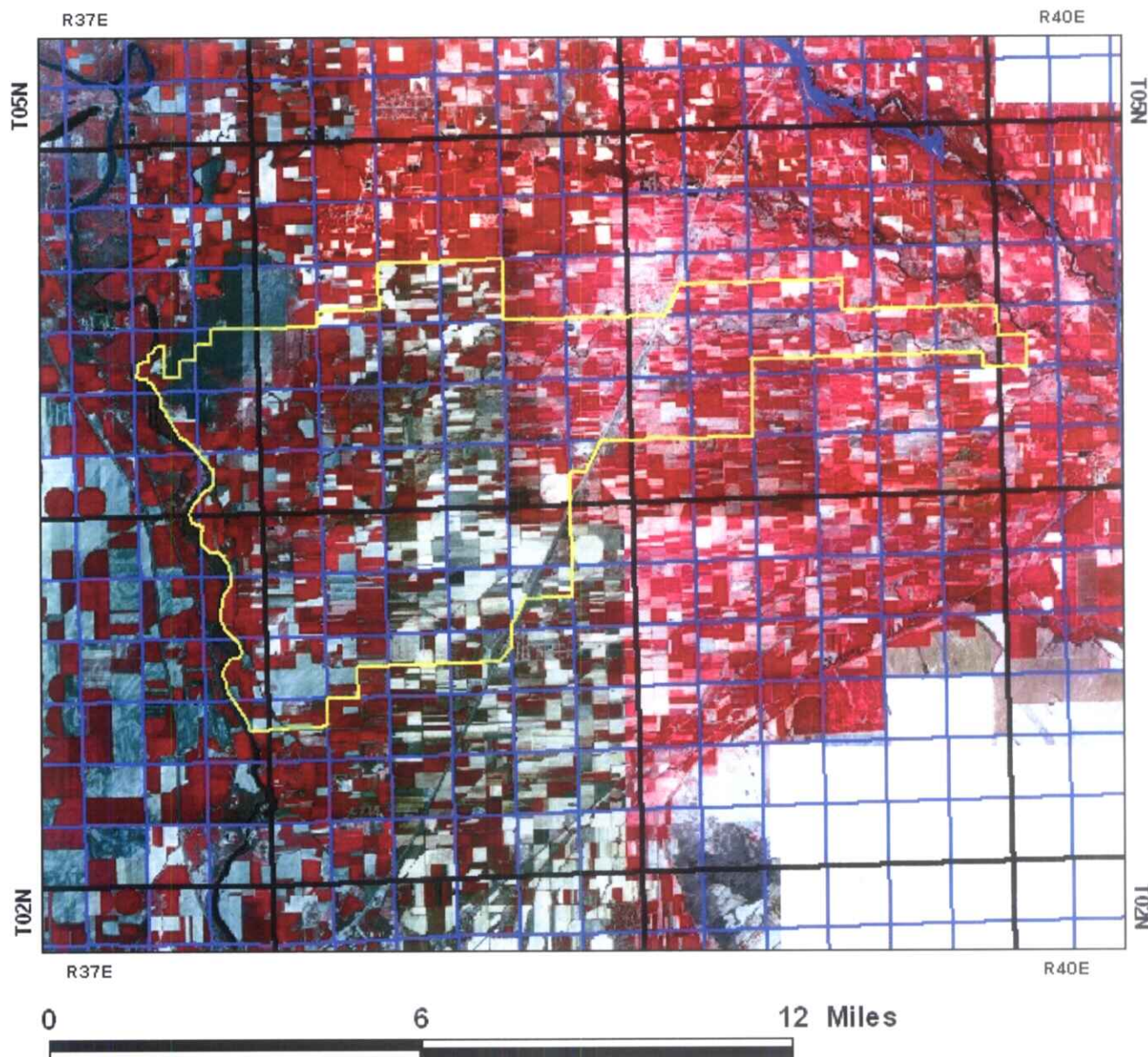
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Place of Use
-  Townships
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Bonneville, Jefferson Counties
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