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DEC 10 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

In Re SRBA	)	Subcase No. 01-328
	)	
Case No. 39576	)	
	)	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, *which removes federal public land from the digital boundary*. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Snake River Valley Irrigation Dist.

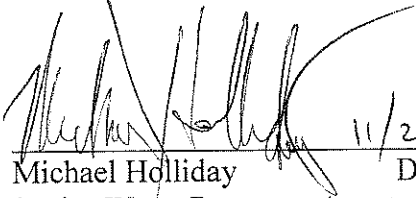
OBJECTOR:

United States of America
Bureau of Land Management

Larry Jacobsen 11-30-07
By: *Larry Jacobsen* Date
Title: *DIRECTOR*

Larry A. Brown 12/6/07
Larry A. Brown, USDOJ FWP Date
Attorney for Objector

IDWR Concurrence:



Michael Holliday 11/29/2007
Senior Water Resource Agent Date



Andrea L. Courtney 11/29/07
Deputy Attorney General Date
Attorney for IDWR

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

RIGHT NUMBER: 1-328

NAME AND ADDRESS: SNAKE RIVER VALLEY IRRIGATION DIST
221 S EMERSON
SHELLEY ID 83274

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 100.000 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands ~~above~~ below.

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION:

T01N R36E S36 NESE Lot 5 Within BINGHAM County
T01N R36E S36 NESE Lot 5 Within BINGHAM County
T01N R37E S3 NWNE Within BONNEVILLE County
T01N R37E S15 NESWNW Lot 2 Within BINGHAM County
T01N R37E S29 SWSW Lot 6 Within BINGHAM County
T01N R37E S29 SESW Lot 3 Within BINGHAM County
T01S R36E S24 SESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	100.000 CFS

PLACE OF USE:

20864 ACRES TOTAL

Place of use is within the boundary of Snake River Valley Irrigation District pursuant to Section 43-323, Idaho Code.

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.

Use of the rights listed below is limited to the irrigation of a combined total of 20,864 acres in a single irrigation season. Combined Right Nos.: 1-38, 1-171, 1-250, 1-328, and 1-10247.

Handwritten notes:
Fwp
MWA
L.J.
DN

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

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

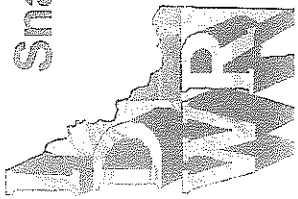
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and 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) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is subject to regulation by the watermaster of Water District 01.

L.J. Fup
MWA
ON



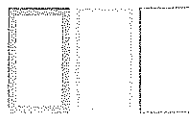
Snake River Valley Irrigation Dist

SRBA Recommendations: 1-38, 1-171, 1-250, 1-328, 1-10247

Service Area Boundary
GIS Place of Use Illustration

Legend

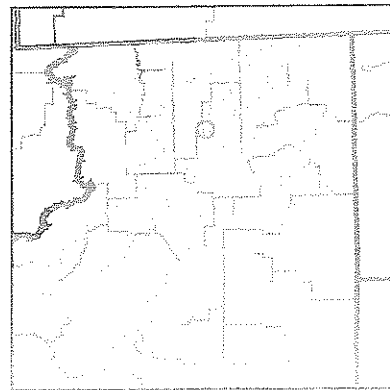
Service Area



Townships

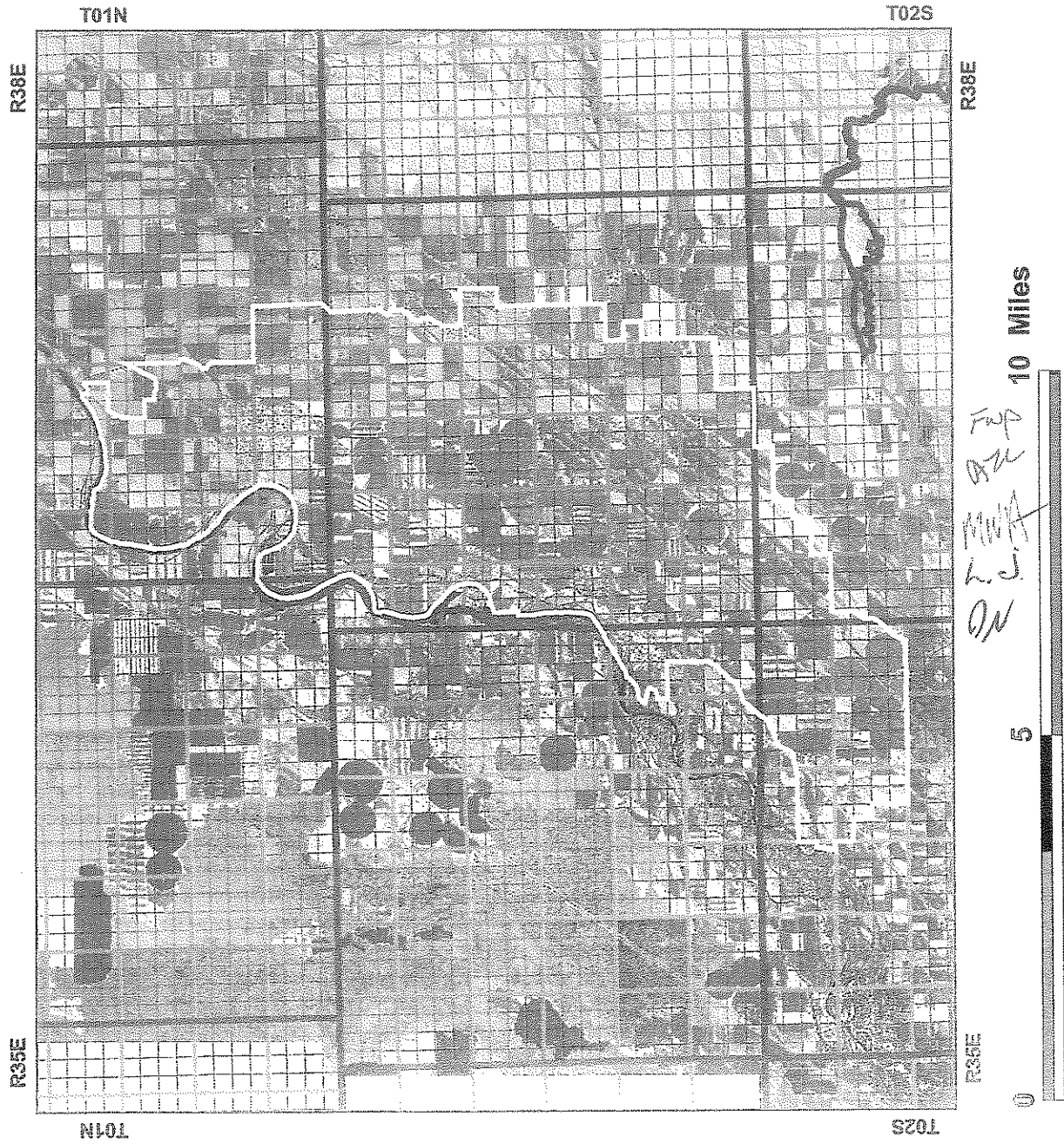
PLS Sections

Quarter Quarters



Bingham County
IDWR Basin 1

Prepared by D. Favreau
On Wednesday, November 14, 2007
1987/88 Aerial Photography



CERTIFICATE OF MAILING

I certify that on December 07, 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:

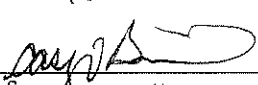
CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

SNAKE RIVER VALLEY IRRIGATION DIST.
221 S. EMERSON
SHELLEY, ID 83274

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form