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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	**Subcase No. 01-118F**
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:
Island Irrigation Company

Richard Sheppard 12-14-07
By: Richard Sheppard Date
Title: President

OBJECTOR:
United States of America
Bureau of Land Management

David Negri for 12/20/07
Larry A. Brown, USDOJ Date
Attorney for Objector MB

IDWR Concurrence:

9/17/2007

Michael Holliday Date
Senior Water Resource Agent

9/12/07

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-118F

NAME AND ADDRESS: ISLAND IRRIGATION CO
C/O RICHARD SHEPPARD
3837 E 850 N
RIGBY ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 19.160 CFS

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION:

T04N R39E S10 SWNESE Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	19.160 CFS

PLACE OF USE:

3166 ACRES TOTAL

Place of use is within the area served by Island Irrigation 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

Water is delivered through Island Canal.

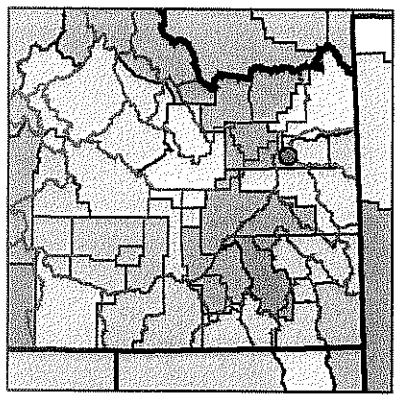
Island Irrigation Co

SRBA Recommendations: 1-81C, 1-82C, 1-83X, 1-117F, 1-118F, 1-4005

Service Area Boundary
GIS Place of Use Illustration

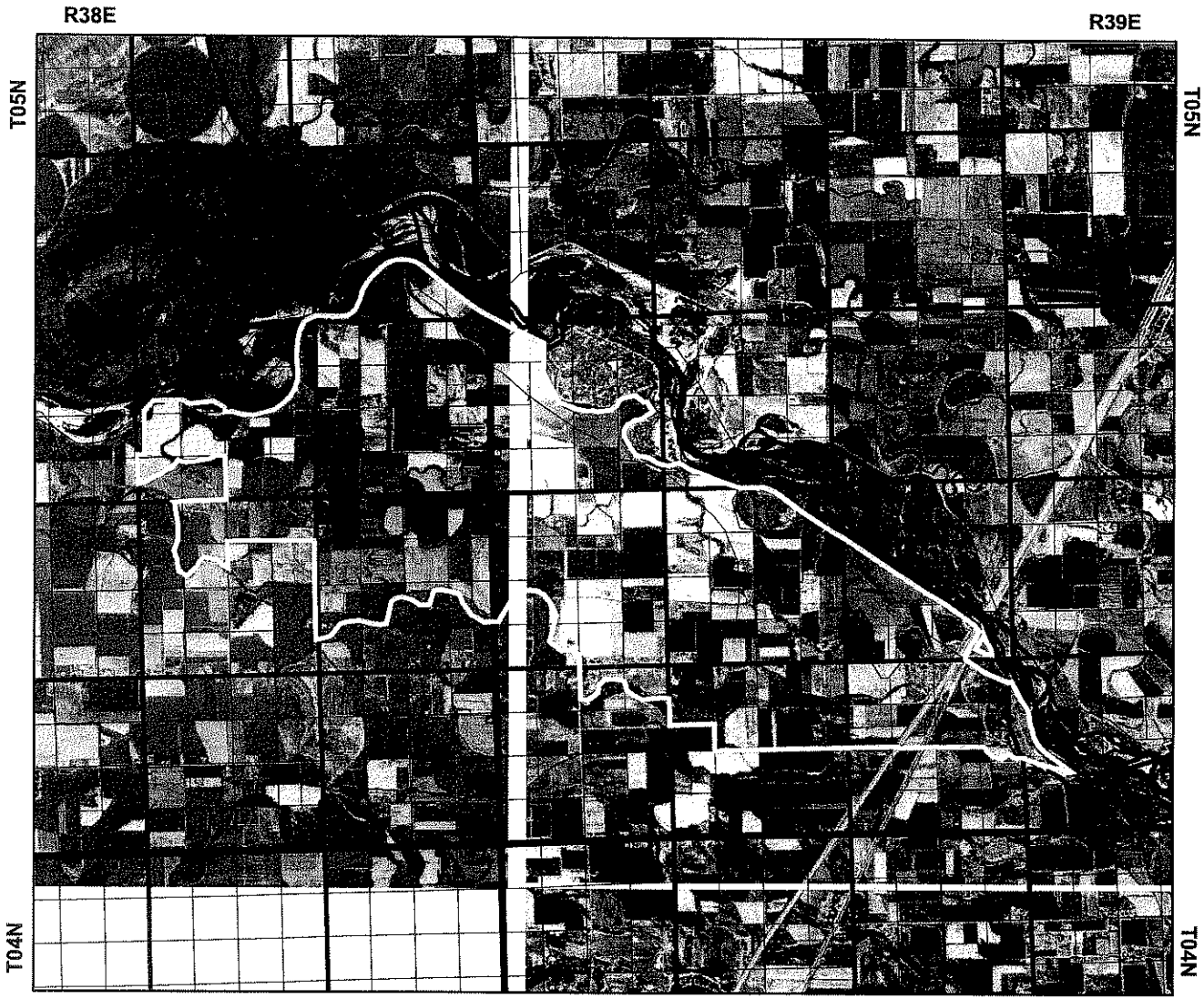
Legend

- Service Area
- Townships
- PLS Sections
- Quarter Quarters



Jefferson, Madison Counties
IDWR Basin 1

N



0 2 4 Miles

Prepared by D. Favreau
On Monday, September 10, 2007
1987/88 Aerial Photography

CERTIFICATE OF MAILING

I certify that on 12/20, 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:

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

ISLAND IRRIGATION CO
C/O RICHARD SHEPPARD
3837 E 850 W
RIGBY, ID 83442

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

Amanda Sanz
Signature of person or attorney mailing the form