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JUN 04 2008

DEPARTMENT OF  
WATER RESOURCES

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JUN 02 2008  
9:00 A.M.

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. 75-04150     |
|                | ) |                          |
| 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.

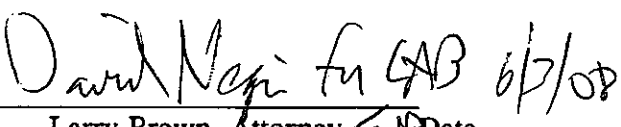
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:  
Big Flat Ditch Company

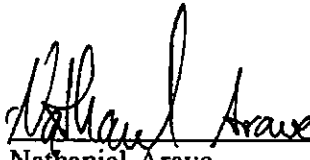
OBJECTOR:  
United States of America

  
Big Flat Ditch Company  
Pro Se

Date

  
Larry Brown, Attorney *FWP* Date  
Bureau of Land Management

**IDWR Concurrence:**

 3/31/08  
\_\_\_\_\_  
Nathaniel Arave                      Date  
Senior Water Resource Agent

 4/1/08  
\_\_\_\_\_  
Garrick L. Baxter                      Date  
Deputy Attorney General  
Attorney for IDWR

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

RIGHT NUMBER: 75-4150

NAME AND ADDRESS: BIG FLAT DITCH CO  
C/O KATIE SLAVIN  
PO BOX 255  
CARMEN ID 83462

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 84.100 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/30/1904

POINT OF

DIVERSION: T22N R22E S17 SWSWNW Within LEMHI County  
T22N R22E S17 SWSESW Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 84.100 CFS      |
| STOCKWATER            | 11/01 03/01          | 0.230 CFS       |

PLACE OF USE:

1682 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.

This right is limited to the irrigation of 1682 acres within the place of use described above in a single irrigation season.

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 quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

UKA  
JB BS  
Fwp  
AN



# Big Flat Ditch Co

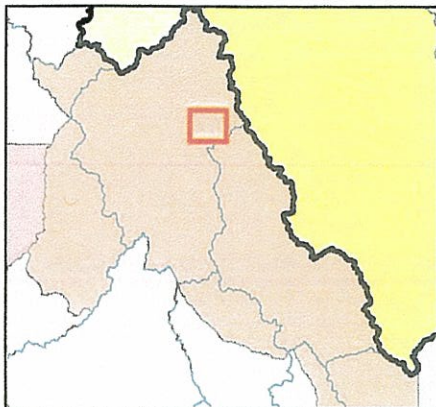
SRBA Recommendations: 75-4150

*NWA  
FWP  
GDR*

Service Area Boundary  
GIS Place of Use Illustration

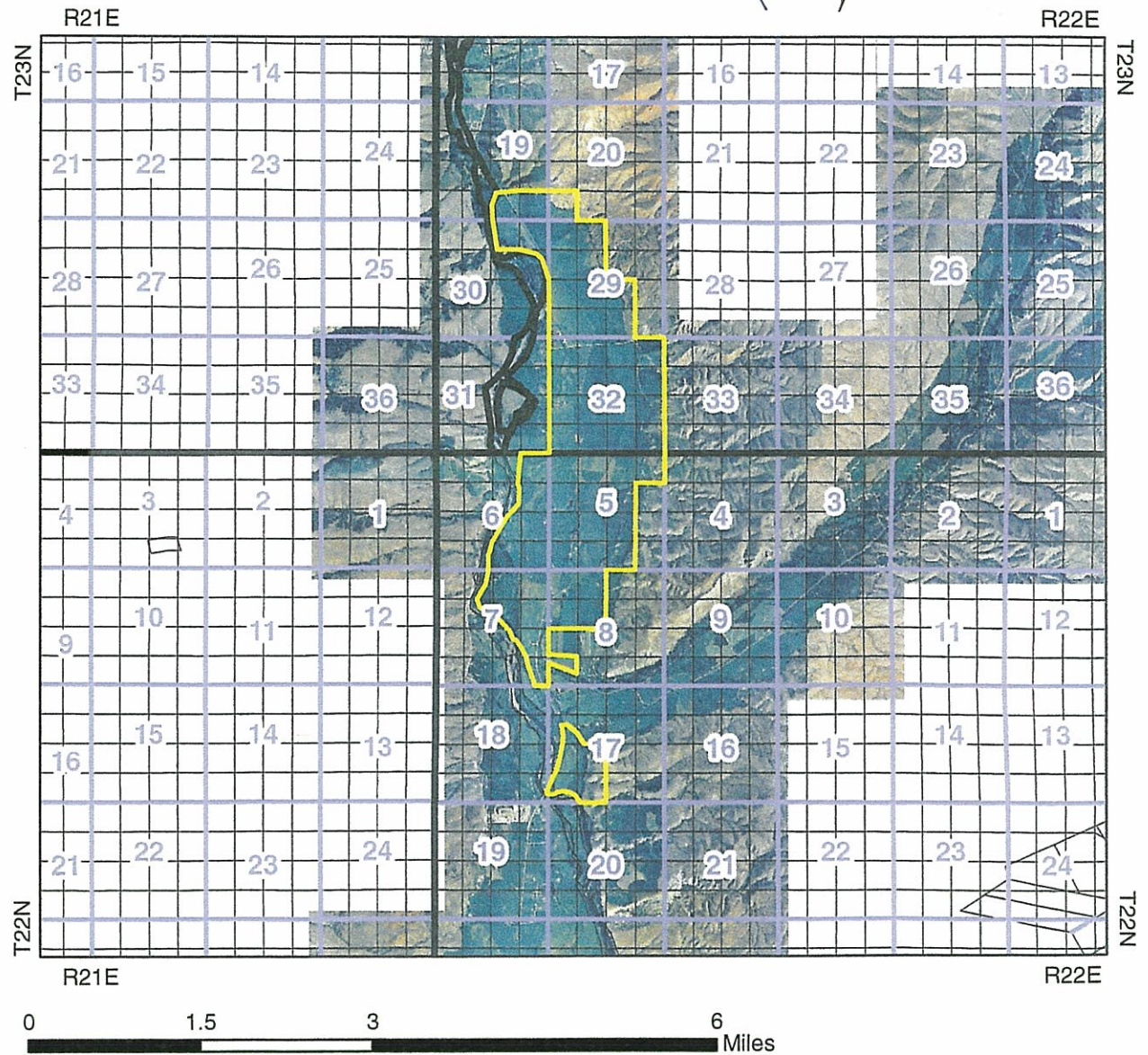
## Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County  
IDWR Basin 75

Prepared by Danielle Favreau  
On Monday, March 31, 2008  
1987/88 Aerial Photography



## CERTIFICATE OF MAILING

I certify that on June 3, 2008, 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:

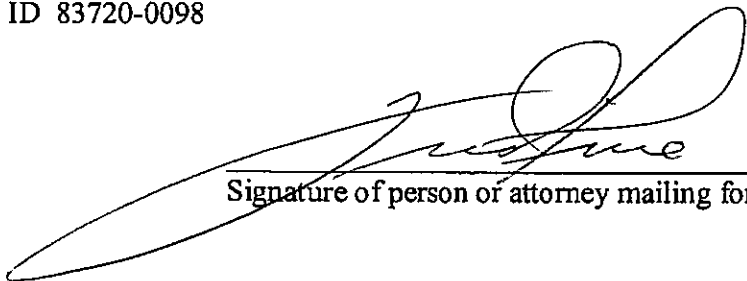
1. Original to:

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

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

BIG FLAT DITCH CO  
C/O KATIE SLAVIN  
PO BOX 255  
CARMEN, ID 83462

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



Signature of person or attorney mailing form