

BLM ISU
SEP 18 2008
9:00 A.M.

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2008 SEP 29 PM 11 29

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED

In Re SRBA

Subcase No.: 47-1

SEP 30 2008

Case No. 39576

STANDARD FORM 5

DEPARTMENT OF
WATER RESOURCES

STIPULATED ELEMENTS OF A
WATER RIGHT

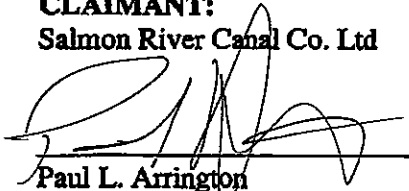
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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:

Salmon River Canal Co. Ltd

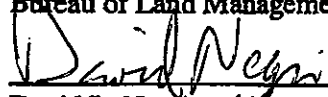

Paul L. Arrington
Attorney for Salmon River Canal Co. Ltd.

9/14/08

Date

OBJECTOR:

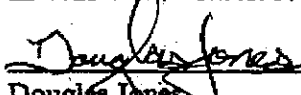
United States on behalf of the
Bureau of Land Management


David L. Negri
Attorney, U.S. Department of Justice
Environment and Natural Resources

9/25/08

Date

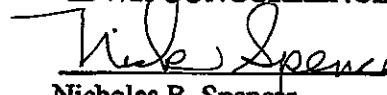
IDWR CONCURRENCE:


Douglas Jones
Technical Engineer 1

9/10/08

Date

IDWR CONCURRENCE:


Nicholas B. Spencer
Deputy Attorney General
Attorney for IDWR

9-26-08

Date

09/10/2008

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

RIGHT NUMBER: 47-1

NAME AND ADDRESS: SALMON RIVER CANAL CO LTD
2700 HWY 93
TWIN FALLS ID 83301

SOURCE: DEEP CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 100.000 CFS

PRIORITY DATE: 04/15/1910

POINT OF
DIVERSION:

T13S R16E S7 NESW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	100.000 CFS

PLACE OF USE:

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 33550 acres within the boundary of the Salmon River Canal Company.

The rights listed below are limited to the irrigation of a combined total of 33550 acres in a single irrigation season. Combined Right Nos.: 47-10, 47-13, 47-17, 47-23A, 47-1.

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

DN
NBS
PUB
NBS



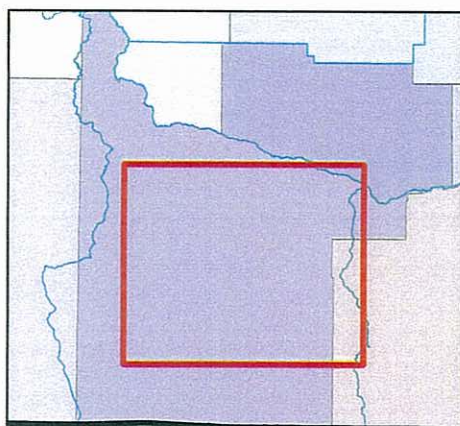
Salmon River Canal Co Ltd

SRBA Recommendations: 47-1, 47-10, 47-13, 47-17, 47-23A

Service Area Boundary
GIS Place of Use Illustration

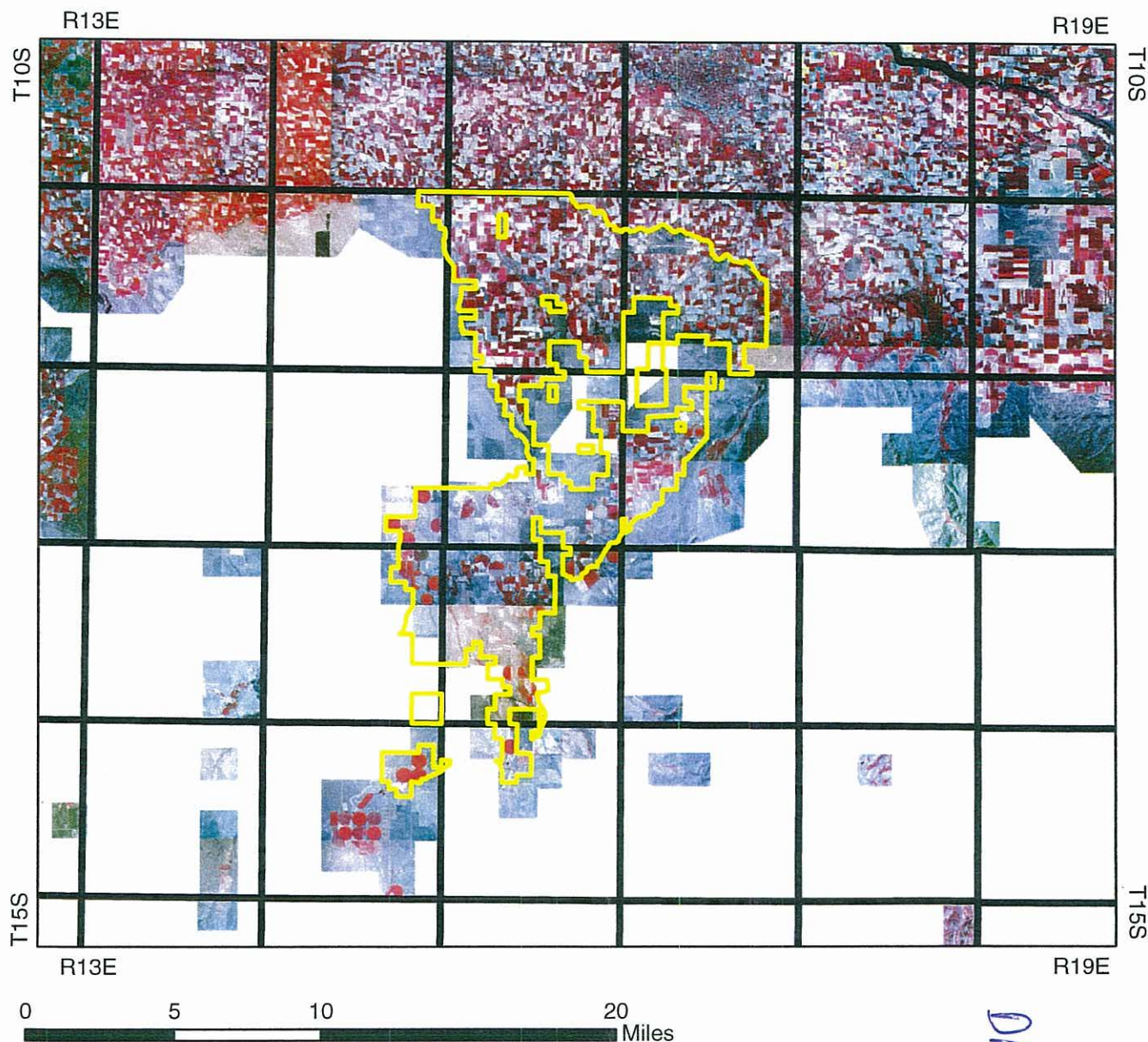
Legend

- Service Area
- State Outline
- Townships



Twin Falls County
IDWR Basin 47

Prepared by Danielle Favreau
On September 03, 2008
1987/88 Aerial Photography



CERTIFICATE OF SERVICE

I certify that on Sept. 26, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Paul L. Arrington
Barker Rosholt
P.O. Box 485
Twin Falls, ID 83303-0485

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Dept. of Justice
Environment & Nat'l Resources Div.
550 W. Fort St. MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Deserae Kramer

Signature of person or attorney mailing the form