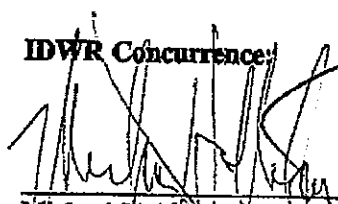


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WATER RESOURCES

IDWR Concurrence:



Michael Holliday Date 1/27/2009
Senior Water Resource Agent



Garrick L. Baxter Date 1/27/2009
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-238

NAME AND ADDRESS: NORTH RIGBY IRRIGATION & CANAL CO INC
C/O ROBERT GOODY
3791 E 500 N
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

Water is delivered through the Great Feeder Canal to the North Rigby
Irrigation & Canal Co. point of diversion.

QUANTITY: 30.000 CFS

PRIORITY DATE: 01/22/1916

POINT OF
DIVERSION:

TO4N R39E S9 SW1/4 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

30.000 CFS

PLACE OF USE:

1005 ACRES TOTAL

Place of use is within the area served by North Rigby Irrigation & Canal 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 North Rigby Canal.

CERTIFICATE OF MAILING

I certify that on January 28, 2009, 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:

NORTH RIGBY IRRIGATION & CANAL CO., INC.
C/O ROBERT GOODY
3791 E 500 N
RIGBY, ID 83442

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

Dorise D. Kramer
Signature of person or attorney mailing the form