

DISTRICT COURT-SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho

FEB 19 2009

 By _____
Clerk
County Clerk

**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 Case No. 39576 _____	)))))))	Subcase Nos. 02-78 STANDARD FORM 5 STIPULATED ELEMENTS OF A WATER RIGHT
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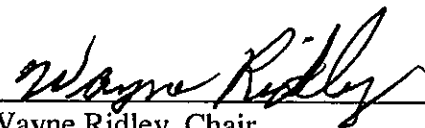
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

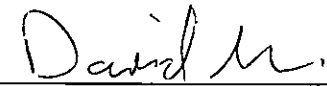
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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.

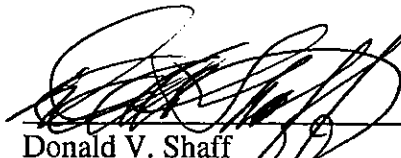
CLAIMANTS:
Snake River Irrigation District

OBJECTOR(s):
United States of America
Bureau of Land Management


1-21-09
 Wayne Ridley, Chair Date


 David Negri Date

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief
1-12-09
Date


Garrick Baxter
Deputy Attorney General
2/10/09
Date

CERTIFICATE OF MAILING

I certify that on 2/17, 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:

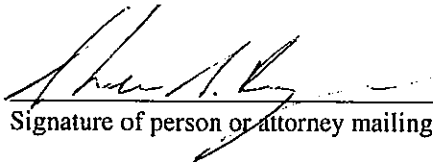
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

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
PO BOX 83720
BOISE, ID 83720-0098

SNAKE RIVER IRRIGATION DIST
PO BOX 9
GRAND VIEW, ID 83624


Signature of person or attorney mailing the form

01/12/2009

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

RIGHT NUMBER: 2-78

NAME AND ADDRESS: SNAKE RIVER IRRIGATION DIST
PO BOX 9
GRAND VIEW ID 83624

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 127.000 CFS

PRIORITY DATE: 06/05/1912

POINT OF
DIVERSION:

T05S R04E S34 SWNW Lot 4 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 10/31

127.000 CFS

PLACE OF USE:

7402 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.

The rights listed below are limited to the irrigation of a combined total of 7,402 acres in a single irrigation season. Combined Right Nos.: 2-78, 2-79

PLACE OF USE WITHIN LANDS OF SNAKE RIVER IRRIGATION DISTRICT.

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 - Beneficial Use

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Snake River Irrigation District Service Area Boundary

Water Rights 2-78, 2-79

On W.R. 2-78



Legend

- ☐ snake river id3
- ☐ Township/Range
- ☐ Sections
- ☐ QQ



Prepared by: **Adjudication**
 Idaho Department of Water Resources
 322 East Front Street
 Boise, Idaho 83702
 - 208.287.4800 -

IDWR
 D. Shaff
 2-12-2009