



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

May 19, 2009

Michael C. Orr
Deputy Attorney General
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

Sent via Statehouse Mail

RE: Subcase Nos. 22-589B, 22-605, 22-12654, 22-12695 & 22-13342

Dear Michael:

I am enclosing a *Standard Form 5* ("SF5") for the above-referenced subcases. Please review the SF5s, and if they are acceptable to you, please sign on the indicated signature lines, initial the revised recommendations and return the original SF5s to me. I will obtain the remaining signatures and file them with the SRBA Court.

If you should have any questions or comments, please feel free to contact me at 287-4815.

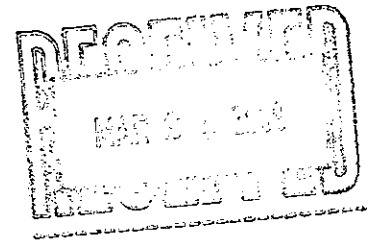
Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

DEPARTMENT OF
WATER RESOURCES



In Re SRBA	)	Subcase No. 22-605
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

1

Bureau of Reclamation

American Falls Reservoir District #2

Twin Falls Canal Company
North Side Canal Company
Milner Irrigation District

RESPONDENTS:

Bingham Ground Water District
Aberdeen-American Falls Ground Water Dist.
Bonnevill-Jefferson Ground Water Dist.
Jefferson Clark Ground Water District
Magic Valley Ground Water District
North Snake Ground Water District
Southwest Irrigation District

Idaho Power Company

Minidoka Irrigation District

A & B Irrigation District
Burley Irrigation District

State of Idaho

Michael C. Orr Date
Attorney for Respondent

IDWR Concurrence:

Ernest Carlsen Date
Water Resource Program Manager

Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-605

NAME AND ADDRESS: ISLAND WARD CANAL CO
3441 ROBISON DR
REXBURG ID 83440

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 100.000 CFS

PRIORITY DATE: 01/23/1901

POINT OF DIVERSION:

T06N R40E S6 NESENW Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	100.000 CFS
~~GROUNDWATER RECHARGE~~ SUB-IRRIGATION	11/01 03/01	20.000 CFS
STOCKWATER	03/01 12/01	0.330 CFS

Sub-irrigation is authorized between 11/1 and 3/31 consistent with the practices described in the Rexburg Irr. Co. v. Teton Irr. Co. Decree (including paragraph 31).

PLACE OF USE:

1728.7 ACRES TOTAL

Place of use is within the area served by Island Ward Canal Comapny.

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.

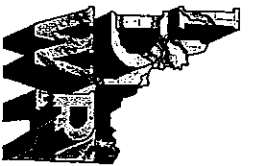
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 Ward Canal.

JR
m
WKF
JES
RH
DL



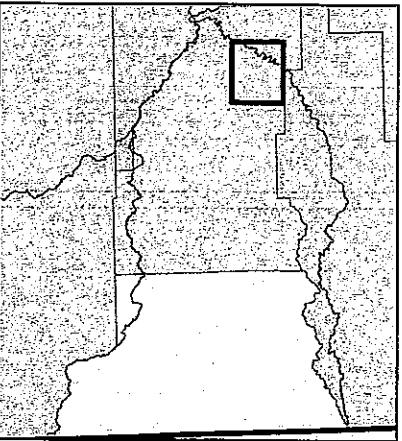
Island Ward Canal Co

Adjudication Recommendations: 22-605

Service Area Boundary
GIS Place of Use Illustration

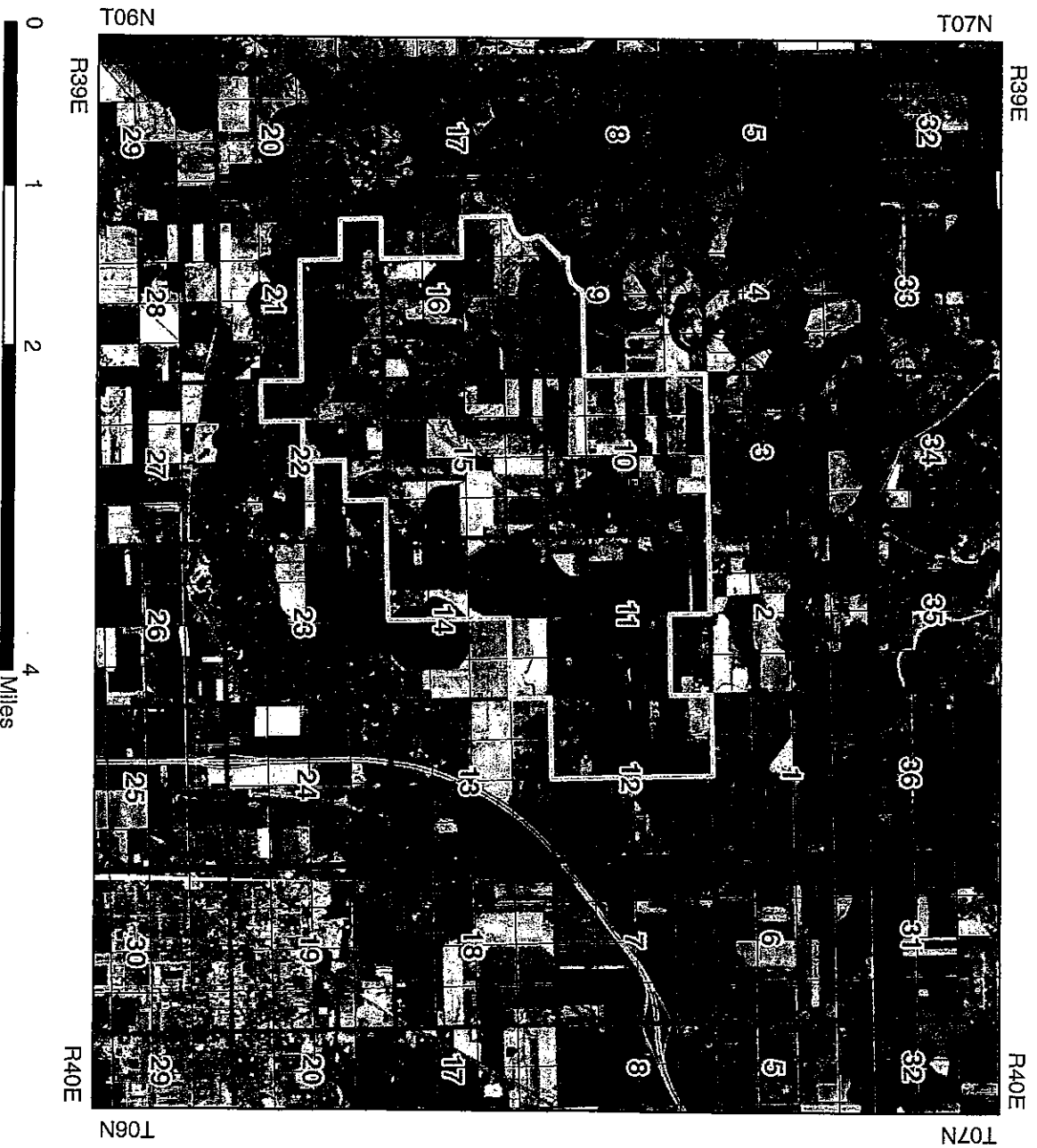
Legend

-  Service Area
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County
IDWR Basin 22

Prepared by Danielle Favreau
On March 12, 2009
1987/88 Aerial Photography



CERTIFICATE OF MAILING

I certify that on _____, 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:

MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE. W., STE. 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

AMERICAN FALLS RESERVOIR DIST. #2
Represented by:
C. THOMAS ARKOOSH
301 MAIN ST.
P.O. BOX 32
GOODING, ID 83330

ISLAND WARD CANAL CO.
Represented by:
JERRY R. RIGBY
25 N. 2ND. E.
P.O. BOX 250
REXBURG, ID 83440-0250

IDAHO POWER COMPANY
Represented by:
JOHN K SIMPSON
1010 W. JEFFERSON, STE. 102
P.O. BOX 2139
BOISE, ID 83701-2139

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

BINGHAM GROUND WATER DIST ETAL

Represented by:
RANDALL C. BUDGE
201 E CENTER, STE A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:
ROGER D. LING
615 H ST.
P.O. BOX 396
RUPERT, ID 83350-0396
Phone: 208-436-4717

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

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

MINIDOKA IRRIGATION DISTRICT

Represented by:
W KENT FLETCHER
1200 OVERLAND AVE.
P.O. BOX 248
BURLEY, ID 83318

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

Signature of person or attorney mailing the form