



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

May 27, 2009

Idaho Department of Water Resources
Attn: Ernie Carlsen
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

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

Dear Ernie:

I am enclosing an SF5 for each of the above-referenced water rights. Please sign, initial and send the original SF5s back to me. I'll file get the final signatures and file them with the SRBA Court.

Thanks.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ray", is written over a horizontal line.

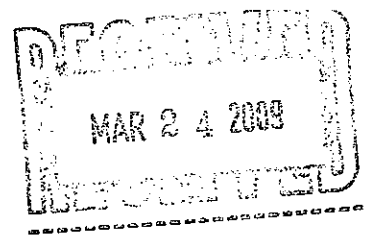
Ray Williams
Paralegal

Enclosures

RECEIVED

MAY 04 2009

DEPARTMENT OF
WATER RESOURCES



**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. 22-589B
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

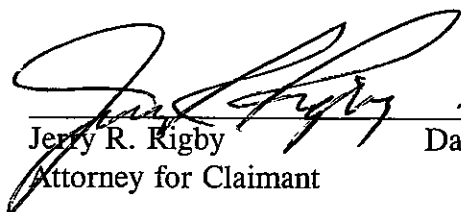
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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. No changes have been made to the digital boundary, thus no maps or compact disks are being filed with this document.

CLAIMANT:

Teton Island Feeder Canal Co.

 3-18-09
Jerry R. Rigby Date
Attorney for Claimant

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 5-22-09
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: 22-589B

NAME AND ADDRESS: TETON ISLAND FEEDER CANAL CO
386 N 2400 E
ST ANTHONY ID 83445

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 25.300 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T07N R40E S36 NWSNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	25.300 CFS
~~GROUNDWATER RECHARGE~~ SUB-IRRIGATION	11/01 03/31	25.300 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:

9448.2 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.

Place of use is within the area served by Teton Island Feeder Canal Company.

The rights listed below are limited to the irrigation of a combined total of 9448.2 acres in a single irrigation season. Combined Right Nos.: 22-288, 22-571, 22-589B, 22-12694, 22-12695, 22-12696, 22-12697.

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

The following rights are all diverted through point of diversion described above: 22-288, 22-571, 22-589B, 22-12694 through 22-12697.

Water is delivered through Teton Island Feeder Canal.

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

TETON ISLAND FEEDER 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

USDI BUREAU OF RECLAMATION

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

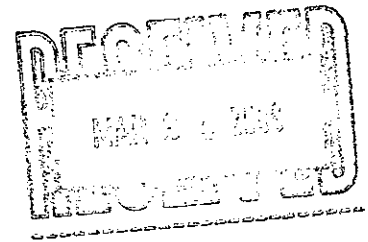
MINIDOKA IRRIGATION DISTRICT

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

DEPARTMENT OF
WATER RESOURCES



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.
Bonneville-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 5.22.09
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.

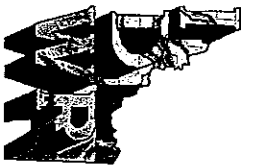
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

JK
WKF
JEB
RH
DK
MCO



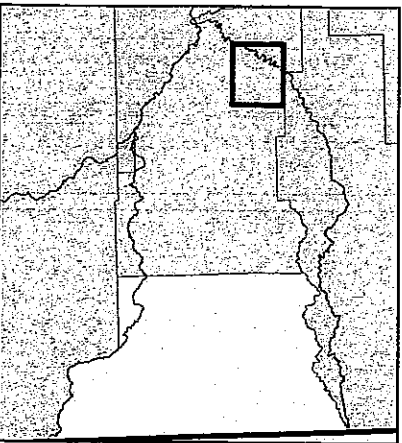
Island Ward Canal Co

Adjudication Recommendations: 22-605

Service Area Boundary
GIS Place of Use Illustration

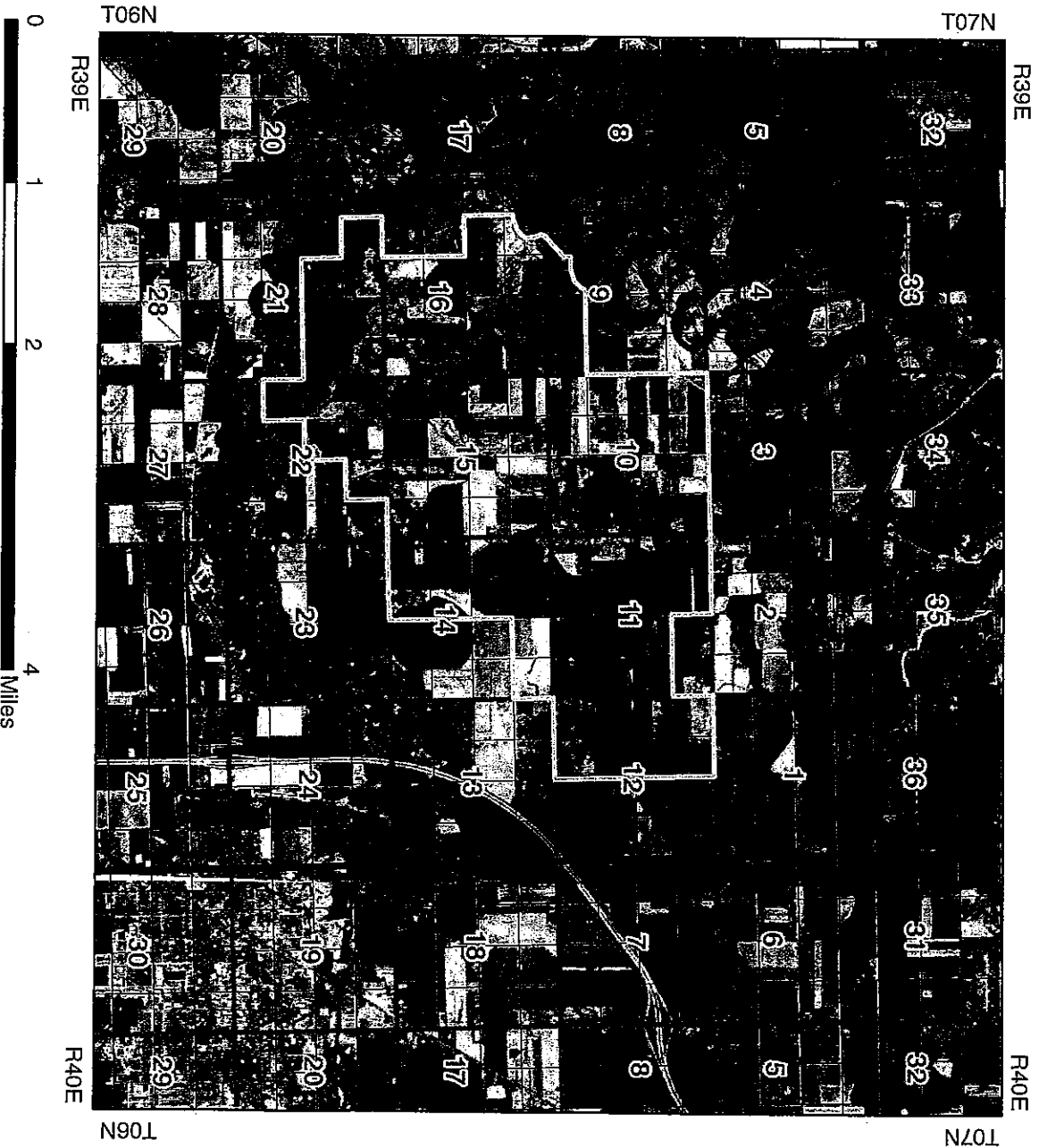
Legend

-  Service Area
-  State Outline
-  Townships
-  P.L.S. Sections
-  Quarter Quarters



Madison County
IDWR Basin 22

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



CERTIFICATE OF MAILING

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1. Original to:

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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

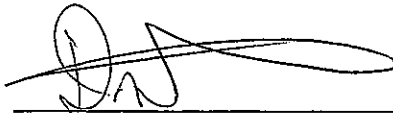
MINIDOKA IRRIGATION DISTRICT
Represented by:
W KENT FLETCHER
1200 OVERLAND AVE.
P.O. BOX 248
BURLEY, ID 83318

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

Signature of person or attorney mailing the form

OBJECTORS:

Bureau of Reclamation


David W. Gehlert
Attorney for Objector

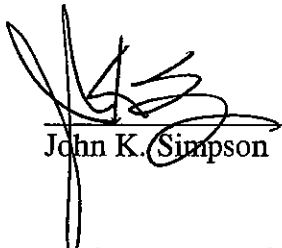
5/15/09
Date

American Falls Reservoir District #2


C. Thomas Arkoosh
Attorney for Objector

4/30/09
Date

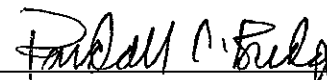
Twin Falls Canal Company
North Side Canal Company
Milner Irrigation District


John K. Simpson
Date

4/29/09
Date

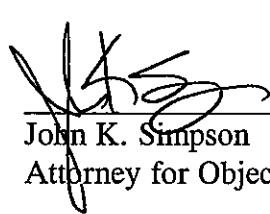
RESPONDENTS:

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


Randall C. Budge
Attorney for Respondent

4/20/09
Date

Idaho Power Company


John K. Simpson
Attorney for Objector

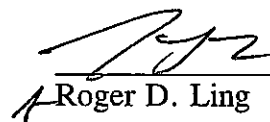
4/29/09
Date

Minidoka Irrigation District


W. Kent Fletcher
Attorney for Objector

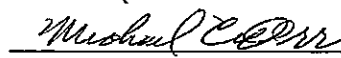
4-29-09
Date

A & B Irrigation District
Burley Irrigation District


Roger D. Ling
Date

4/29/09
Date

State of Idaho


Michael C. Orr
Attorney for Respondent

5-22-09
Date

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: 22-12654

NAME AND ADDRESS: WILFORD IRRIGATION & MFG CO
C/O BRANT KERBS PRES
240 N 2500 E
ST ANTHONY ID 83445

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 77.840 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T07N R41E S28 NWNWNE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	77.840 CFS
~~GROUNDWATER RECHARGE~~ SUB-IRRIGATION	11/01 03/31	37.840 CFS
STOCKWATER	01/01 12/31	40.000 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:

2740.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 2616.2 acres in a single irrigation season. Combined Right Nos.: 22-673, 22-12654, 22-12655, 22-13165 and 22-13412.

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 WILFORD CANAL.

This right is a combination of old Right Nos. 22-275 and 22-581.

The following rights are also diverted through point of diversion described above: 22-673, 22-12654, 22-12655, 22-13165, and 22-13412.

CERTIFICATE OF MAILING

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TWIN FALLS CANAL COMPANY
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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

WILFORD IRRIGATION & MFG. 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
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RANDALL C. BUDGE
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P.O. BOX 1391
POCATELLO, ID 83204-1391

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550 WEST FORT STREET, MSC 033
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MINIDOKA IRRIGATION DISTRICT
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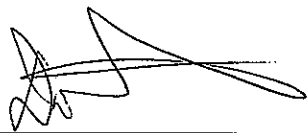
DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form

RECEIVED
MAY 2 1965

OBJECTORS:

Bureau of Reclamation



David W. Gehlert
Attorney for Objector

5/15/09

Date

American Falls Reservoir District #2



C. Thomas Arkoosh
Attorney for Objector

4/30/09

Date

Twin Falls Canal Company
North Side Canal Company
Milner Irrigation District



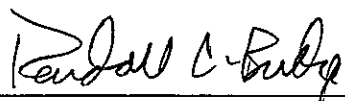
John K. Simpson
Date

4/29/09

Date

RESPONDENTS:

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Aberdeen-American Falls Ground Water Dist.
Bonneville-Jefferson Ground Water Dist.
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Magic Valley Ground Water District
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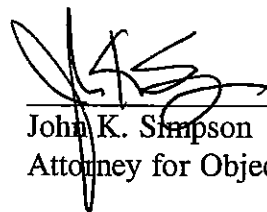


Randall C. Budge
Attorney for Respondent

4/30/09

Date

Idaho Power Company



John K. Simpson
Attorney for Objector

4/29/09

Date

Minidoka Irrigation District

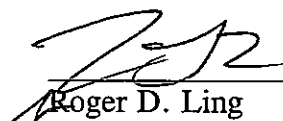


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Attorney for Objector

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Burley Irrigation District

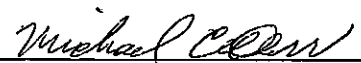


Roger D. Ling
Date

4/29/09

Date

State of Idaho



Michael C. Orr
Attorney for Respondent

5-22-09

Date

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: 22-12695

NAME AND ADDRESS: TETON ISLAND FEEDER CANAL CO
386 N 2400 E
ST ANTHONY ID 83445

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 76.960 CFS

PRIORITY DATE: 05/22/1884

POINT OF DIVERSION:

T07N R40E S36 NWSNW Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	76.960 CFS
~~GROUNDWATER RECHARGE~~ SUB-IRRIGATION	11/01 03/31	42.210 CFS
STOCKWATER	01/01 12/31	34.750 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:

9448.2 ACRES TOTAL

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Water is delivered through Teton Island Feeder Canal.

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

TETON ISLAND FEEDER 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

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

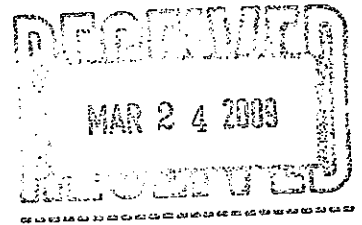
BOISE, ID 83720-0098

Signature of person or attorney mailing the form

RECEIVED

MAY 04 2009

DEPARTMENT OF
WATER RESOURCES



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. 22-13342

Case No. 39576

)
)
) STANDARD FORM 5

)
) STIPULATED ELEMENTS OF A
) WATER RIGHT

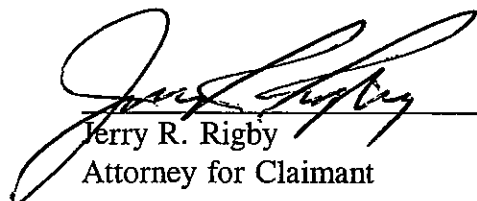
_____)
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary 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. No changes have been made to the digital boundary, thus no maps or compact disks are being filed with this document.

CLAIMANT:

Consolidated Farms Canal Co.

 3-18-09
Jerry R. Rigby Date
Attorney for Claimant

OBJECTORS:

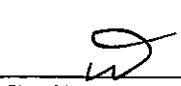
Bureau of Reclamation



David W. Gehlert
Attorney for Objector

5/15/09
Date

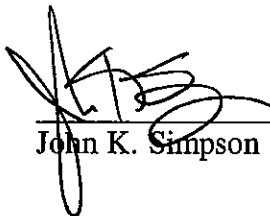
American Falls Reservoir District #2



C. Thomas Arkoosh
Attorney for Objector

4/30/09
Date

Twin Falls Canal Company
North Side Canal Company
Milner Irrigation District

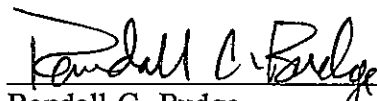


John K. Simpson
Date

4/29/09
Date

RESPONDENTS:

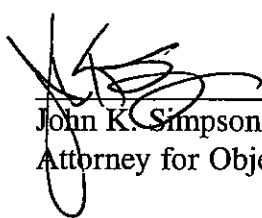
Bingham Ground Water District
Aberdeen-American Falls Ground Water Dist.
Bonneville-Jefferson Ground Water Dist.
Jefferson Clark Ground Water District
Magic Valley Ground Water District
North Snake Ground Water District
Southwest Irrigation District



Randall C. Budge
Attorney for Respondent

4/30/09
Date

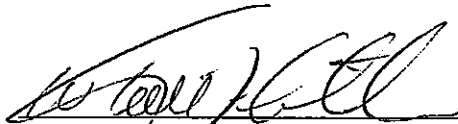
Idaho Power Company



John K. Simpson
Attorney for Objector

4/29/09
Date

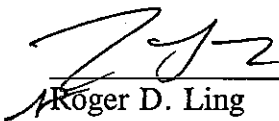
Minidoka Irrigation District



W. Kent Fletcher
Attorney for Objector

4-29-09
Date

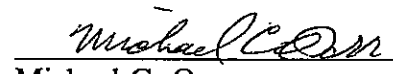
A & B Irrigation District
Burley Irrigation District



Roger D. Ling
Date

4/29/09
Date

State of Idaho



Michael C. Orr
Attorney for Respondent

5-22-09
Date

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: 22-13342

NAME AND ADDRESS: CONSOLIDATED FARMERS CANAL CO LTD
C/O DELL RAYBOULD SEC
3215 N 2000 W
REXBURG ID 83440

SOURCE: HENRYS FORK

TRIBUTARY: SNAKE RIVER

QUANTITY: 120.000 CFS

PRIORITY DATE: 06/01/1892

POINT OF DIVERSION:

T07N R40E S10 NENESE Lot 25 Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
~~GROUNDWATER RECHARGE~~ SUB-IRRIGATION	11/01 03/31	120.000 CFS
IRRIGATION	04/01 10/31	120.000 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:

6111.9 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.

Place of use is within the area served by Consolidated Farmers Canal Co.

The rights listed below are limited to the irrigation of a combined total of 6111.9 acres in a single irrigation season. Combined Right Nos.: 22-13342, 22-13343, 22-13344, 22-13347, 22-13349.

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.

Renumbered from 01-44 to 21-12905 to 22-13342.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Consolidated Farmers Canal.

WLF
JRR
JQ
RUB
D
MCO

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BOISE, ID 83720-0098

Signature of person or attorney mailing the form