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MAY 27 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. 63-4010
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

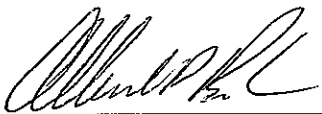
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

CLAIMANT/OBJECTOR:

Riverside Irrigation District, LTD

 5/22/09
Albert P. Barker Date
Attorney for Claimant/Objector

STANDARD FORM 5 – 63-4010

COPY

Jan Shurte 5-14-09
Jan Shurte Date
Water Rights Supervisor

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SF5 Right No. 63-4010

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

RIGHT NUMBER: 63-4010

NAME AND ADDRESS: THE RIVERSIDE IRRIGATION DIST LTD
PO BOX 1080
PARMA ID 83660

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 70.000 CFS

PRIORITY DATE: 04/15/1916

POINT OF DIVERSION:

T04N R04W S16 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

70.000 CFS ~~30.0 CFS~~

PLACE OF USE:

10158 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 includes the irrigation of 4252 acres within the State of Oregon.

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

This right when combined with Right Nos. 63-226, 63-277, 63-228, 63-229, 63-299, 63-300, 63-2279, 63-2374, 63-2389, 63-4007, 63-4008, and 63-4009 can be used to irrigate up to 10158 acres within the boundary of the Riverside Irrigation District.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

SF5 Right No. 63-4010

CERTIFICATE OF MAILING

I certify that on May 26, 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:

RIVERSIDE IRRIGATION DIST., LTD
Represented by:
ALBERT P BARKER
1010 W. JEFFERSON, STE. 102
P.O. BOX 2139
BOISE, ID 83701-2139

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



Signature of person or attorney mailing the form