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BILL AND SUSAN BAGGS

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JUN 23 2009

DEPARTMENT OF
WATER RESOURCESDISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 JUN 22 PM 12 50

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. 47-12230

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:

OBJECTORS:

Twin Falls Canal Company

William Baggs 6/12/09
William Baggs Date

Susan Baggs 6/12/09
Susan Baggs Date

Paul Arrington
Paul Arrington, Attorney

6/15/2009
Date

STANDARD FORM 5 - 47-12230

RESPONDENT:
IGWA, Inc.

~~Randall C. Budge, Attorney~~ Date

IDWR Concurrence:

for ~~*Donald V. Shaff*~~
Donald V. Shaff
Adjudication Bureau Chief

~~*6/15/09*~~
Date

~~*For Garrick Baxter*~~
For Garrick Baxter
Deputy Attorney General

~~*6-17-09*~~
Date

CERTIFICATE OF MAILING

I certify that on June 19, 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:

TWIN FALLS CANAL COMPANY

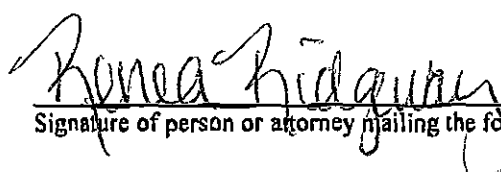
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

IGWA INC

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

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

SUSAN M BAGGS
WILLIAM BAGGS
1672 E 4300 N
BUHL, ID 83316


Signature of person or attorney mailing the form

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BILL AND SUSAN BAGGS

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05/12/2009

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

RIGHT NUMBER: 47-12230

NAME AND ADDRESS: WILLIAM BAGGS
1672 E 4300 N
BURL ID 83316SUSAN M BAGGS
1672 E 4300 N
BURL ID 83316

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.760 CFS
152.00 AFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 12/31/1950

POINT OF
DIVERSION:

T09S R14E S24 SEWEE within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.760 CFS 152.00 AFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R14E S24 NRES 38.00

38 ACRES TOTAL

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.

The location, use and administration of this water right is subject to the terms and conditions of the agreement with Twin Falls Canal Company recorded in the Twin Falls County Recorder's Office as Instrument No 217992.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Twin Falls Canal Co.

Source is also known as the Mandini Tunnel.