

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 SEP 23 AM 10 17

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 Nos. 47-7763
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

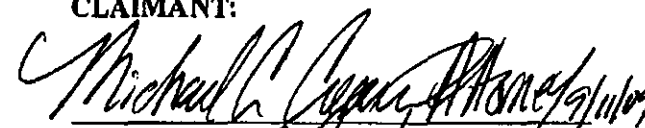
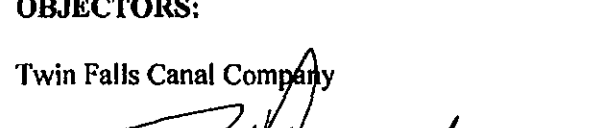
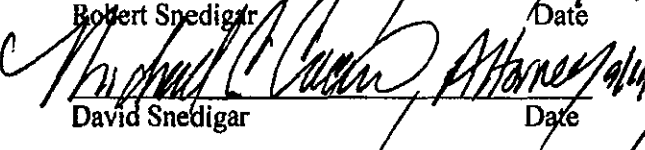
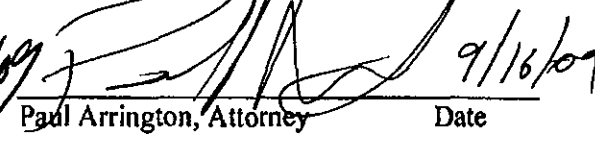
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

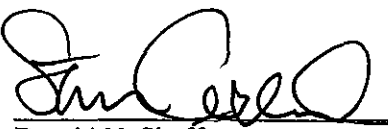
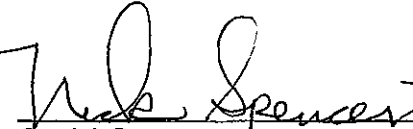
CLAIMANT:

OBJECTORS:

	
Robert Snedigar	Twin Falls Canal Company
	
David Snedigar	Paul Arrington, Attorney

STANDARD FORM 5 - 47-7763

IDWR Concurrence:

for		9/18/09	Date	FOR		9-18-09	Date
	Donald V. Shaff				Garrick Baxter		
	Adjudication Bureau Chief				Deputy Attorney General		

CERTIFICATE OF MAILING

I certify that on 9/22, 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

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

DAVID R SNEDIGAR
1026 E 1000 N
SHELLEY, ID 83247

ROBERT SNEDIGAR
321 E CONCORDIA DR
TEMPE, AZ 85282



Signature of person or attorney mailing the form

08/14/2009

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

RIGHT NUMBER: 47-7763

NAME AND ADDRESS: ROBERT SNEDIGAR
321 E CONCORDIA DR
TEMPE AZ 85282

DAVID R SNEDIGAR
1026 E 1000 N
SHELLEY ID 83247

SOURCE: UNNAMED STREAM

TRIBUTARY: MUD CREEK

The source of this right includes waste water. All waste water is subject to the right of the original appropriator, in good faith and in compliance with state laws, including 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 before it becomes part of the public water supply.

*MCC
FVA
NBS*

QUANTITY: 30.000 CFS

PRIORITY DATE: 10/20/1981

SCC

The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

POINT OF DIVERSION:

T09S R15E S7 SESENW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	01/01 12/31	30.000 CFS

PLACE OF USE: POWER in TWIN FALLS County

T09S R14E S12 SWNE

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

The diversion and use of water under this license is subject to review by the Director on or after December 31, 2019. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

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.

08/14/2009

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this right shall be non-consumptive.

Source is also known as Silo Creek.

Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

MCC
NBS
SCC