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DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED
2009 DEC 7 PM 1 47

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 No. 47-14737** **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:
Cedar Mesa Reservoir & Canal Company

Nov 16 09
Date

OBJECTOR:
United States of America
Bureau of Land Management

David Negri 10/1/09
David Negri, Attorney Date

IDWR Concurrence:

11/23/09

IDWR Agent Date

~~Nicholas Spencer~~ Garrick Baxter Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on December 3, 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:

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

CEDAR MESA RESERVOIR &
CANAL CO
PO BOX 525
TWIN FALLS, ID 83303-0525

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

Signature of person or attorney mailing the form

STANDARD FORM 5 – 47-14737

09/29/2009

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-14737

NAME AND ADDRESS: CEDAR MESA RESERVOIR & CANAL CO
PO BOX 525
TWIN FALLS ID 83303-0525

SOURCE: CEDAR CREEK TRIBUTARY: SALMON FALLS CREEK

QUANTITY: 8.800 CFS

PRIORITY DATE: 05/01/1894

POINT OF DIVERSION:

T13S R14E S29 SWNWSE Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/15 10/10	8.800 CFS

PLACE OF USE:

4143 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~4143~~ 4698 acres in a single irrigation season. Combined Right Nos.: ~~51-137, 51-138, 47-2439, 47-2440,~~ 47-42A & 47-14737.

This right is limited to the irrigation of 4143 acres within the boundary of the Cedar Mesa Reservoir & Canal Company.

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

Use of this right is combined with water right 47-42A from Cedar Canal Company on 4143 acres within the place of use described above.

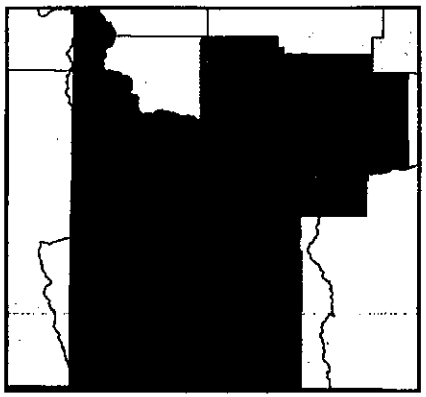
Cedar Mesa Reservoir & Canal Co

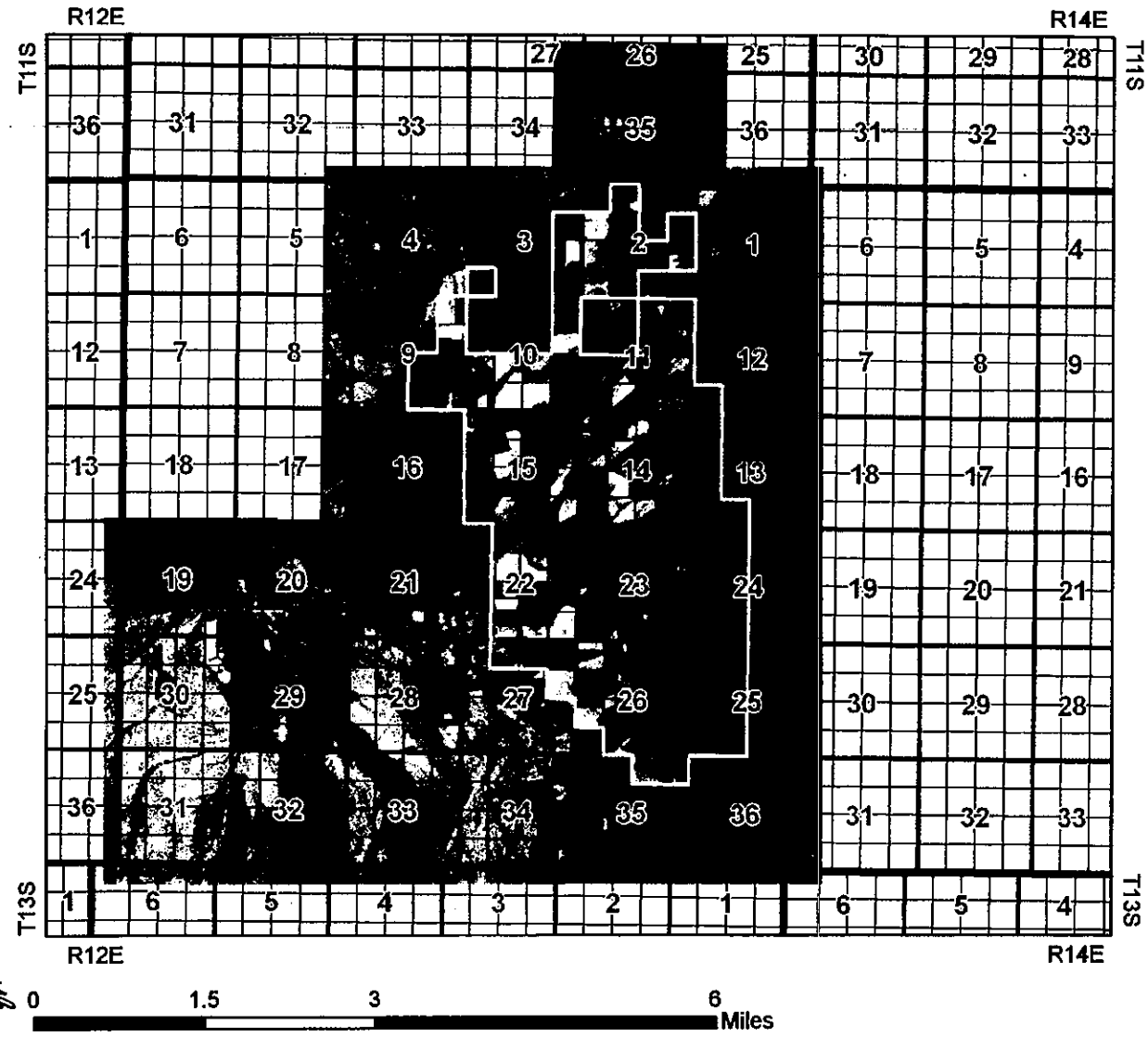
Adjudication Recommendations: 47-2439, 47-2440, 47-14737

Irrigation From Storage Service Area Boundary
GIS Place of Use Illustration

Legend

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



Twin Falls County
IDWR Basin 47

Prepared by Danielle Favreau
On September 30, 2009
1987/88 Aerial Photography