DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL - 1 2011

By _____ Clerk
Deputy Clerk

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JUN 24 2011
Department of Water Resources
Eastern Region

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. 27-40

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:
Little Butte Irrigation Company, LTD

6/14/11
For: Jerry R. Rigby — Date
Attorney for Claimant

IDWR Concurrence:

6/24/2011

Michael Holliday Date
Water Rights Supervisor

6/30/11

Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-40

NAME AND ADDRESS:

LITTLE BUTTE IRRIGATION CO LTD
PO BOX 580
BLACKFOOT ID 83221

SOURCE:

Source:	Tributary:
BLACKFOOT RIVER	SNAKE RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 04/05/1886

POINT OF DIVERSION:

T03S R35E S12 Lot 1 SESE
Within BINGHAM County

~~T03S R35E S12 Lot 1 NESESE~~
~~Within BINGHAM County~~

PURPOSE AND PERIOD OF USE:

Purpose of use:	Period of use:	Quantity:
IRRIGATION	04/01 10/31	2.000 CFS

PLACE OF USE:

585 ACRES TOTAL

Place of use is within the area served by Little Butte Irrigation 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.

The rights listed below are limited to the irrigation of a combined total of 585 acres in a single irrigation season. Combined Right Nos.: 27-38, 27-39, 27-40, 27-41, and 27-10878.

This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

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 from Eastern Idaho Water Company.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Little Butte Canal.

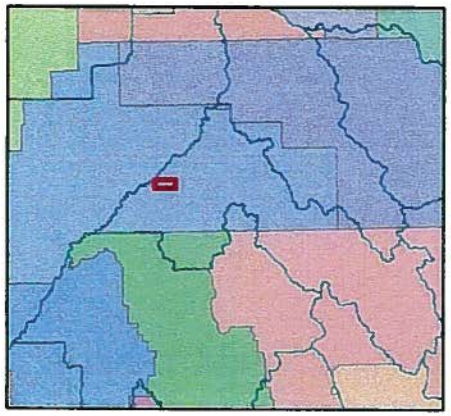
Little Butte Irrigation Co Ltd

Adjudication Recommendations: 27-38, 27-39, 27-40, 27-41, 27-10878

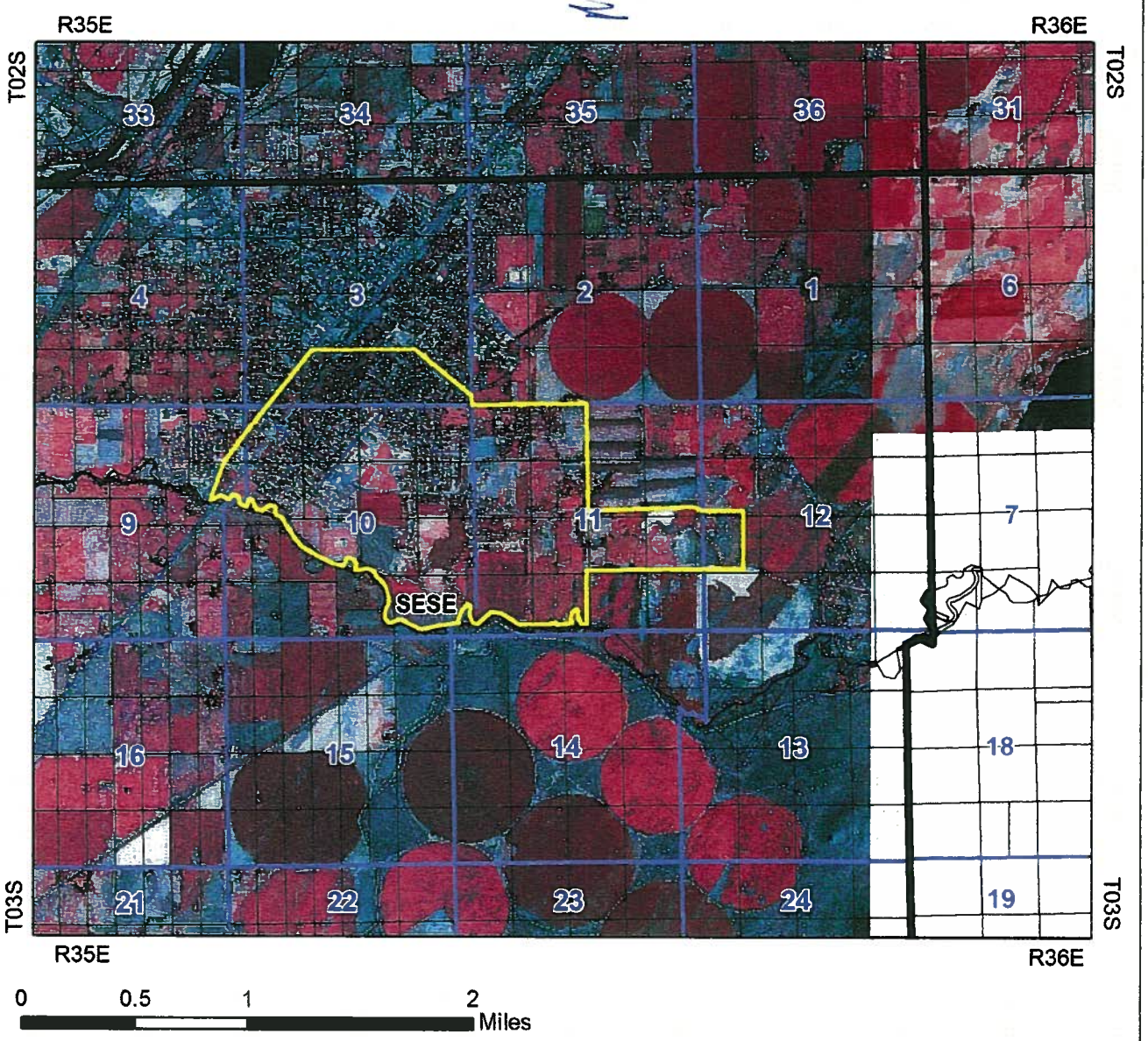
Irrigation Service Area Boundary
GIS Place of Use Illustration

Legend

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



Bingham County
IDWR Basin 27



Prepared by Favreau, Danielle
On June 02, 2011
1987/88 Aerial Photography

CERTIFICATE OF MAILING

I certify that on June 30, 2011, 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:

LITTLE BUTTE IRRIGATION CO., LTD
Represented by:
JERRY R. RIGBY
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

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

Lori Harris
Signature of person or attorney