

RECEIVED
SEP 13 2011
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. 27-35A
	)	<i>Split from 27-35D</i>
	)	
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.

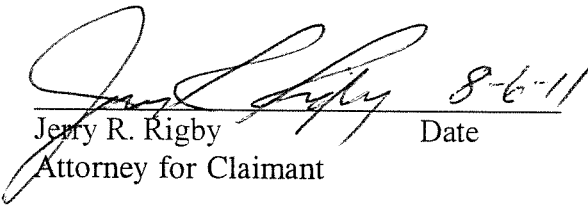
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

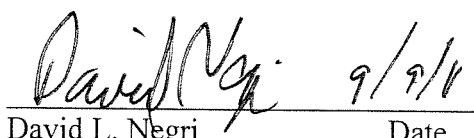
Eastern Idaho Water Company

OBJECTOR:

Bureau of Land Management

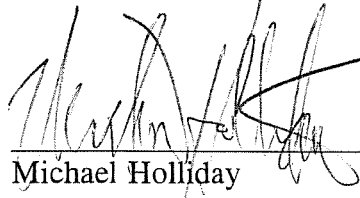

Jerry R. Rigby
Attorney for Claimant

Date


David L. Negri
Attorney for Objector

Date

IDWR Concurrence:



Michael Holliday 8/26/2011 Date
Water Rights Supervisor



Andrea L. Courtney 8/17/11 Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-35A

NAME AND ADDRESS: EASTERN IDAHO WATER COMPANY
279 N 400 E
BLACKFOOT ID 83221

JC

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 19.670 CFS

PRIORITY DATE: 10/01/1885

POINT OF
DIVERSION:

T02S R37E S11 NWSW Within BINGHAM County
T02S R37E S17 NWSW Lot 3 Within BINGHAM County
T03S R35E S8 SWNE Lot 24 Within BINGHAM County
T03S R35E S9 SENE Lot 1 Within BINGHAM County
T03S R35E S12 SESE Lot 1 Within BINGHAM County
T03S R35E S18 SWNE Lot 6 Within BINGHAM County

AN

MWA

BN

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

19.670 CFS

PLACE OF USE:

2607 ACRES TOTAL

Place of use is within the area served by Eastern Idaho Water 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 2607 acres in a single irrigation season. Combined Right Nos.: 27-22A, 27-22B, 27-35A, and 27-35B.

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

Water is delivered through Just Canal, Blackfoot Slough Canal, Central Ditch, Miners Ditch, Little Butte Canal, and Riverton Ditch.



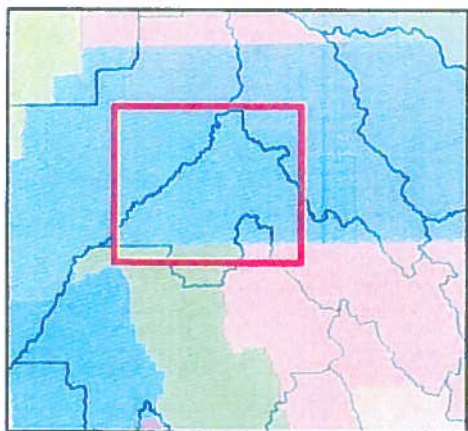
Eastern Idaho Water Company

Adjudication Recommendations: 27-22A, 27-22B, 27-35A, 27-35B

Irrigation Service Area Boundary
GIS Place of Use Illustration

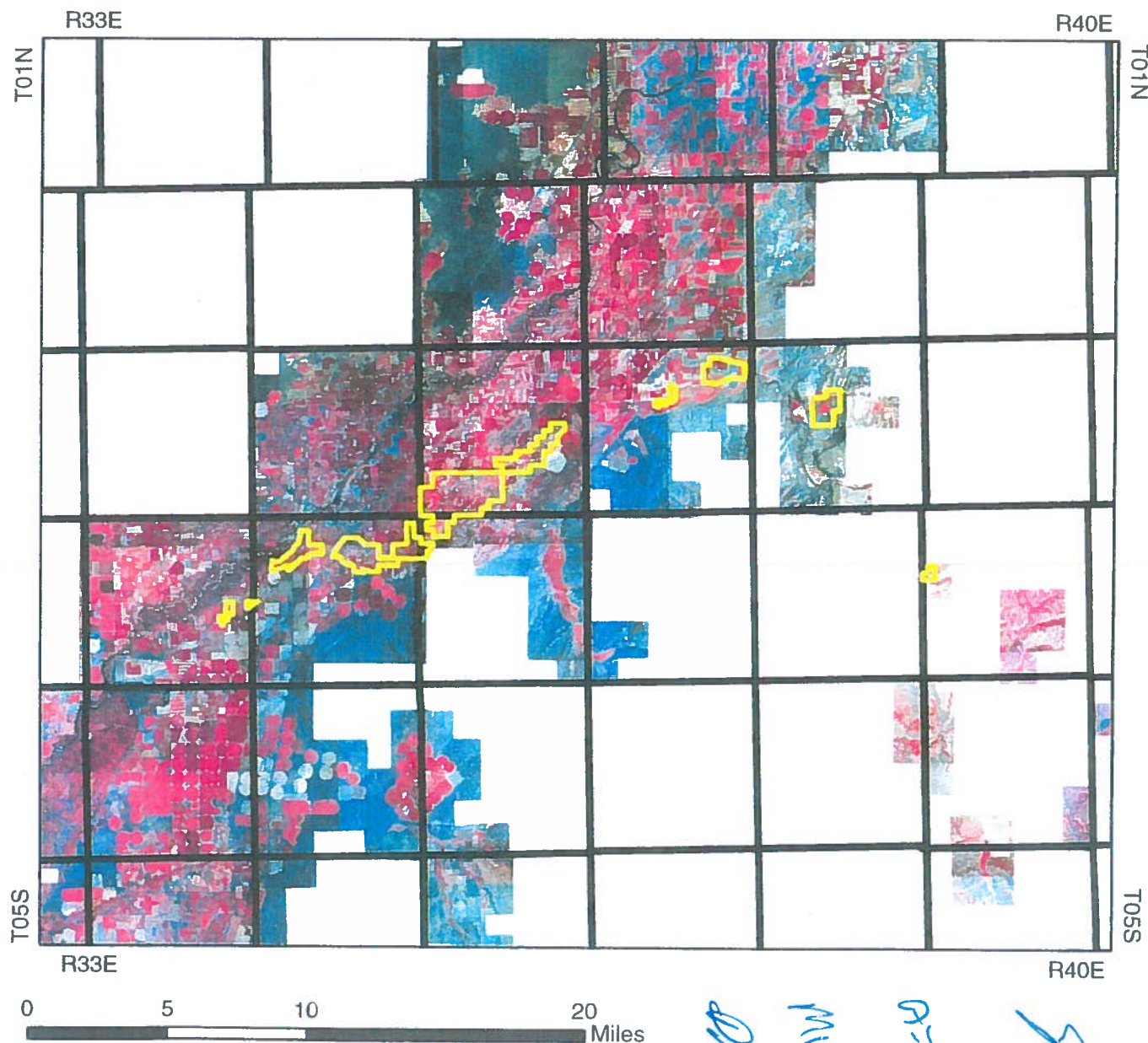
Legend

-  Service Area
-  State Outline
-  Townships



Bingham County
IDWR Basin 27

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



Handwritten signatures:
DN
Mink
GK
SKE

CERTIFICATE OF MAILING

I certify that on 9/9, 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:

EASTERN IDAHO WATER COMPANY
Represented by:
JERRY R. RIGBY
25 N. 2ND E.
P.O. BOX 250
REXBURG, ID 83440-0250

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

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



Signature of person or attorney