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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. 27-35B
	)	Split from 27-35D
	)	
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.

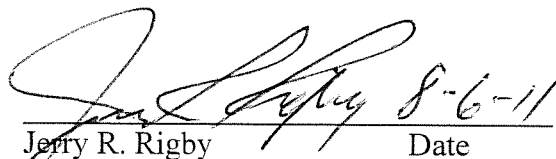
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

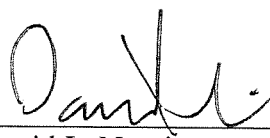
Eastern Idaho Water Company

OBJECTOR:

Bureau of Land Management

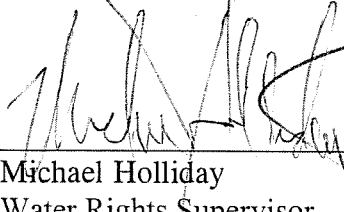

Jerry R. Rigby
Attorney for Claimant

Date


David L. Negri
Attorney for Objector

Date

IDWR Concurrence:



Michael Holliday 8/26/2011
Water Rights Supervisor Date



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

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

RIGHT NUMBER: 27-35B

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

SOURCE: WOLVERINE CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.330 CFS

Right Nos. 27-22B and 27-35B are limited to a total combined annual diversion volume of 161 AF.

PRIORITY DATE: 10/01/1885

Pursuant to a call in times of scarcity on Wolverine Creek, this right has a priority date of April 1, 1980.

POINT OF
DIVERSION:

T02S R38E S10 SWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.330 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.

Right Nos. 27-22B and 27-35B are limited to the irrigation of a combined total of 46 acres in a single irrigation season.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 27. 

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





DN

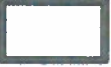


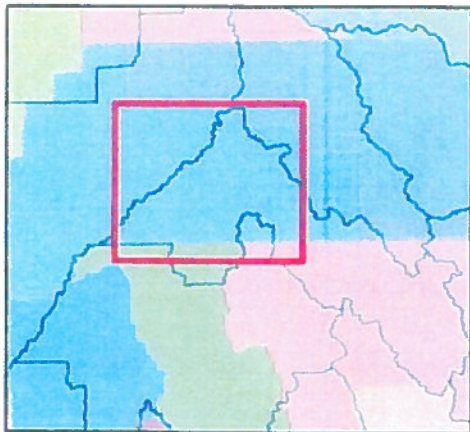
Eastern Idaho Water Company

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

Irrigation Service Area Boundary
GIS Place of Use Illustration

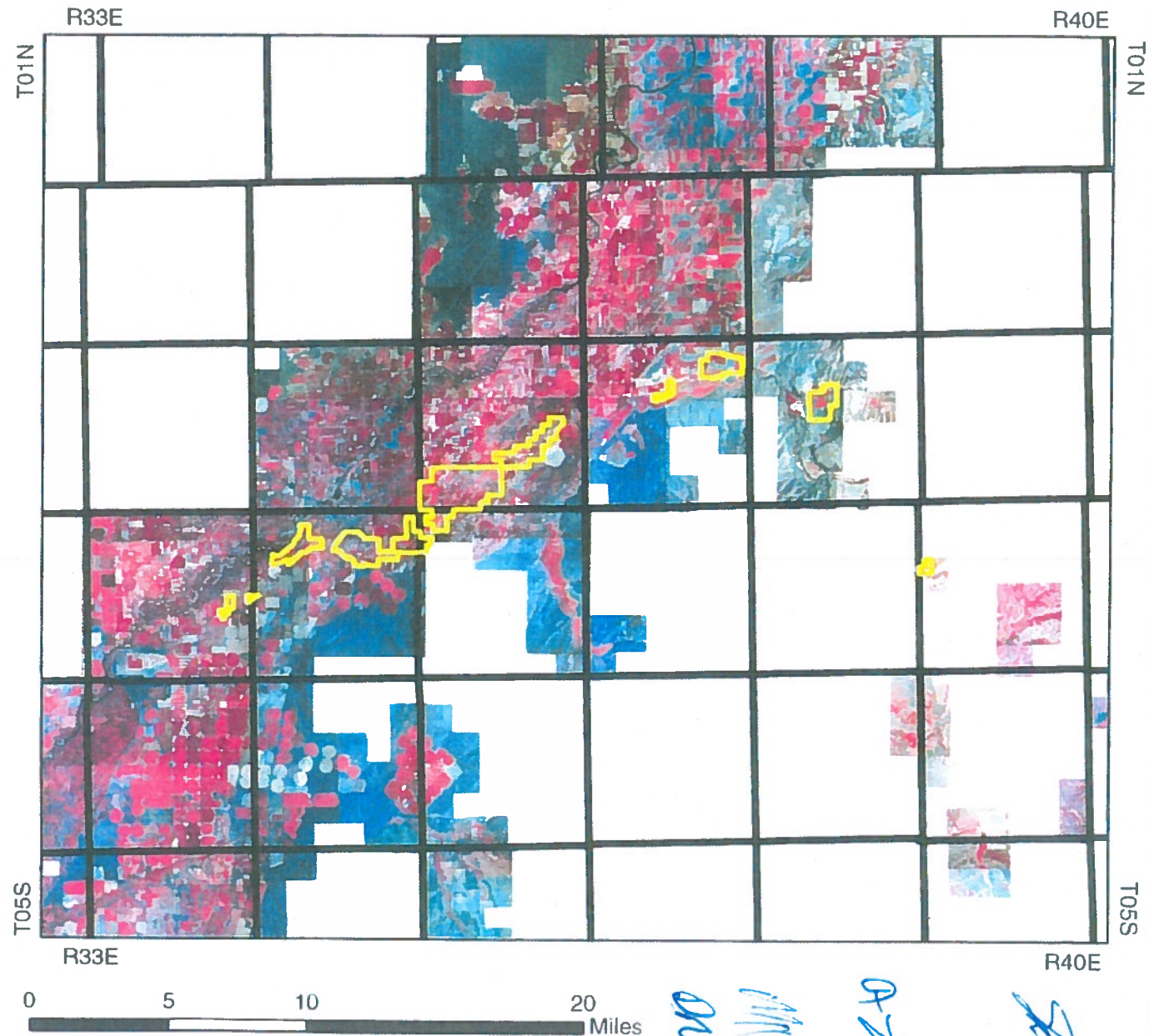
Legend

-  Service Area
-  State Outline
-  Townships



Bingham County
IDWR Basin 27

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



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

Brandon Anderson

Signature of person or attorney