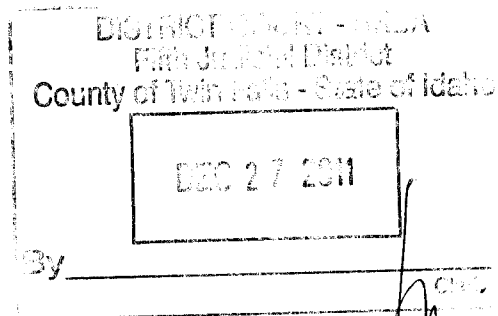




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. 75-00005
	)	
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.

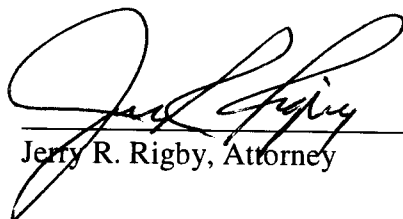
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions 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/RESPONDENT/

OBJECTOR:

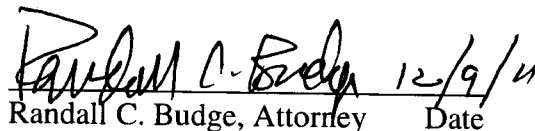
Arrowhead Water District


Jerry R. Rigby, Attorney

12-8-11
Date

OBJECTOR:

Dale Edwards, Laura Edwards &
Myrtle Edwards


Randall C. Budge, Attorney

12/9/11
Date

OBJECTOR:

City of Salmon

Josephine P. Beeman 7 Dec 2011
Josephine P. Beeman, Attorney Date

IDWR Concurrence:

Monica Van Bussum 12/5/2011
Monica Van Bussum Date
Senior Water Resource Agent

Garrick L. Baxter 12/5/2011
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on December 23, 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

Copies to:

ARROWHEAD WATER DISTRICT
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250

CITY OF SALMON
Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702

DALE EDWARDS
LAURA EDWARDS
MYRTLE EDWARDS
Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391

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

Zoe Harris

10/19/2011

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

RIGHT NUMBER: 75-5

NAME AND ADDRESS: ARROWHEAD WATER DISTRICT
C/O GARY LEUZINGER
23 OLIVER DR
SALMON ID 83467

SOURCE: CHIPPS CREEK
POLLARD CANYON CREEK

TRIBUTARY: POLLARD CANYON CREEK
TRIBUTARY: JESSE CREEK

Water Right No. 75-5 can be diverted from the Chipps Creek point of diversion only when the April 1, 1985, and later dates are in priority. Water Right No. 75-5 will maintain its April 1, 1994, priority at the Pollard Canyon Creek point of diversion. This condition applies to all current and future splits of 75-5 when owned, controlled and delivered by Arrowhead Water District.

QUANTITY: 4.360 CFS

Right Nos. 75-5, 75-22 and 75-14465 are limited to a total combined diversion rate of 6.11 cfs.

The total flow available for diversion in Water District 75A is the sum of all water being diverted above the Farmer's Ditch, water being diverted into the Farmer's Ditch, and the quantity of water spilling and seeping past the Farmer's Ditch diversion. The Farmer's Ditch diversion is located in T21N, R21E, S1, SWNW.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T21N R21E S2 SESW Within LEMHI County
T21N R21E S11 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE		PERIOD OF USE		QUANTITY	
IRRIGATION		04/01	10/31	4.360 CFS	
PLACE OF USE: <u>IRRIGATION in LEMHI County</u>					
T21N R21E S01	NESW	20.60	T21N R21E S01	NWSW	38.00
T21N R21E S01	SWSW	41.00	T21N R21E S01	SESW	12.00
T21N R21E S01	NESE	37.00	T21N R21E S01	NWSE	40.00
T21N R21E S01	SWSE	19.70	T21N R21E S01	SESE	18.00
T21N R21E S02	NESE	11.00	T21N R21E S02	SWSE	9.80
T21N R21E S02	SESE	40.00			

287.1 ACRES TOTAL

Right Nos. 75-5, 75-22 and 75-14465 are limited to the irrigation of a combined total of 287.1 acres in a single irrigation season.

JPB
M
LB
JAL
RUB

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

10/19/2011

JPB AB
MVB
JR

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.

This water right is subject to a private agreement among the City of Salmon, Myrtle, Dale and Laura Edwards and Arrowhead Water District, and recorded in the Lemhi County Recorder's office on December 1, 2011 as instrument no. 288296.

Arrowhead Reservoir, recommended as Right No. 75-14465, may only be filled as authorized by Water Right No. 75-14465.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 75-14465 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

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. 75A.