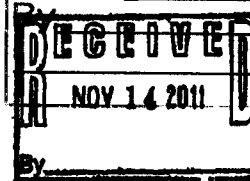


DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 11 2012



Clerk
Deputy Clerk

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. 01-23B

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 as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages. No changes have been made to the digital boundary on file with the Court, thus no updated digital boundary is attached.

CLAIMANT/OBJECTOR:
Aberdeen-Springfield Canal Company

Randall C. Budge 11/5/11
Randall C. Budge Date
Attorney for Claimant/Objector

STANDARD FORM 5 - Water Right No. 01-23B

OBJECTOR(S):
Bureau of Reclamation

David W. Gehlert 06
David W. Gehlert Date
Attorney for Objector

American Falls Reservoir Dist. #2

Craig D. Holdley 12-12-11
Craig D. Holdley Date
Attorney for Objector

North Side Canal Company, Ltd.
Twin Falls Canal Company
Milner Irrigation District
A & B Irrigation District
Burley Irrigation District

Travis L. Thompson 12/8/11
Travis L. Thompson Date
Attorney for Objectors

RESPONDENT:
State of Idaho

Harriet A. Hensley 12/08/11
Harriet A. Hensley Date
Attorney for Respondent

IDWR Concurrence:

for Michael Holliday 1-10-12
Michael Holliday Date
Water Rights Supervisor

Chris M. Bromley 1/9/12
Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-23B

NAME AND ADDRESS: ABANDON-SPRINGFIELD CANAL CO
PO BOX 857
ABANDON ID 83210

SOURCE: SHANE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1,172.100 CFS

PRIORITY DATE: 02/06/1898

POINT OF DIVERSION:

THIS RICE #34 SHANE Lot 14 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1,172.100 CFS
EXCHANGE FOR IRRIGATION	04/01 10/31	300.000 CFS

PLACE OF USE:

51,772.6 ACRES TOTAL

Diversion of this right for the purpose of exchange for irrigation is authorized for a maximum of 17,161.6 acres.

The rights listed below are limited to the irrigation of a combined total of 51,772.6 acres in a single irrigation season. Combined Right Nos.: 1-23B, 1-297, 3B-2843, and 15-4246.

Place of use is within the area served by Abandon-Springfield 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(3)(b). 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 92DA 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.

The administration of this right is further defined and set forth in the Settlement Agreement Regarding Abandon-Springfield Canal Company's Share in 91 Surface Water Rights and Consolidated 92DA Subcase No. 15-3111, recorded as instrument number 261878 in the Bingham County Recorder's Office, Blackfoot, Idaho.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RPB
WKR
B
JH
DN
CB
CA

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

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

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

CH RIB
WKF

737
HH

DW

CB

CA

CERTIFICATE OF MAILING

I certify that on January 10, 201²1, 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:

AMERICAN FALLS RESERVOIR DIST. #2
Represented by:
CRAIG D. HOEDEY
125 5TH AVE.
P.O. BOX 176
GOODING, ID 83330

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 4449
BOISE, ID 83711-4449

ABERDEEN-SPRINGFIELD CANAL CO.
Represented by:
RANDALL C. BUDGE
201 E. CENTER, STE. A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL CO., LTD
TWIN FALLS CANAL COMPANY
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE. W., STE 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485

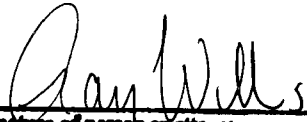
UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION

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

MINIDOKA IRRIGATION DISTRICT

Represented by:
W. KENT FLETCHER
1200 OVERLAND AVE.
P.O. BOX 248
BURLEY, ID 83318

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



Signature of person or attorney