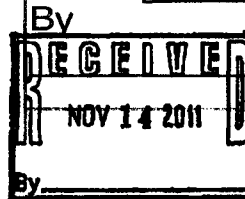


DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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. 01-297

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 11/15/11
Randall C. Budge Date
Attorney for Claimant/Objector

OBJECTOR(S):
Bureau of Land Management

David L. Negri 1/9/12
Date
David L. Negri
Attorney for Objector

American Falls Reservoir Dist. #2

Minidoka Irrigation District

W. Kent Fletcher 11-22-11
Date
W. Kent Fletcher
Attorney for Objector

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

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

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

RESPONDENT:
State of Idaho

Harriet A. Hensley 12/08/2011
Date
Harriet A. Hensley
Attorney for Respondent

IDWR Concurrence:

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

OBJECTOR/RESPONDENT:
Bureau of Reclamation

David W. Gehlert 6/06/12
Date
David W. Gehlert
Attorney for Objector/Respondent

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

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

RIGHT NUMBER: 1-297

NAME AND ADDRESS: ABERDEEN-SPRINGFIELD CANAL CO
PO BOX 687
ABERDEEN ID 83210

SOURCE: SNAKE RIVER **TRIBUTARY:** COLUMBIA RIVER

QUANTITY: 230.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION: TELS RISE #34 SEW 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	230.000 CFS

PLACE OF USE:

61772.6 ACRES TOTAL

Place of use is within the area served by Aberdeen-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 42-302B(2) and authorized pursuant to I.C. Section 42-1411(2)(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 SEBA 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 61,772.6 acres in a single irrigation season. Combined Right Nos.: 1-238, 1-297, 15-2543, and 35-4246.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The delivery of water to this right may be subject to procedures described in the United States System of Reclamation Apportionment contracts and the Dunley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., March 12, 1968) together with the natural flow and storage deliveries as calculated by the Idaho Department of Water Resources.

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 42-1413(e), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

DN
RUB
WKE
755
CB
CJ

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

CB
CA .

CERTIFICATE OF MAILING

I certify that on January 10, 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:

AMERICAN FALLS RESERVOIR DIST. #2
Represented by:
CRAIG D. HOBDEY
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 44449
BOISE, ID 83711-4449

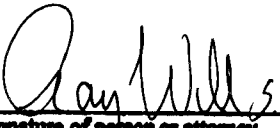
ABERDEEN-SPRINGFIELD CANAL CO.
Represented by:
RANDALL C. BUDGE
201 E. CENTER, STR. A2
P.O. BOX 1391
POCATELLO, ID 83204-1391

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