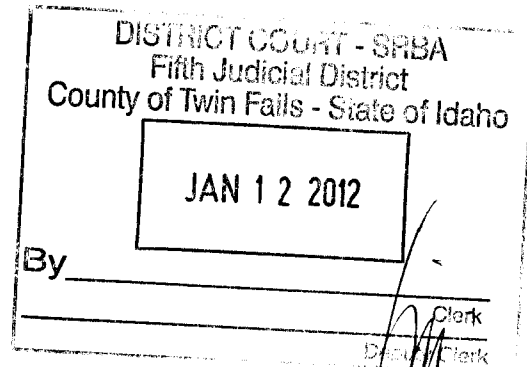




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No. 01-7

Case No. 39876

STANDARD FORM 5

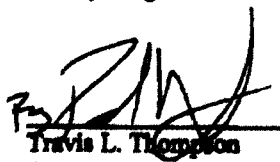
**STIPULATED ELEMENTS OF A
WATER RIGHT**

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.

CLAIMANT:
Burley Irrigation District


Travis L. Thompson
Attorney for Claimant

1/6/12
Date

CLAIMANT/OBJECTOR/RESPONDENT:


Roger B. Ling
Attorney for Claimant/Objector/Respondent

Date

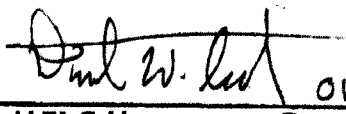
OBJECTORS:

Fremont-Madison Irrigation District
Blackfoot Irrigation Company
United Canal Company


Jerry R. Rigby Date
Attorney for Objectors

OBJECTOR/RESPONDENT:

Bureau of Reclamation

 01/10/12
David W. Gehlert Date
Attorney for Objector/Respondent

IDWR Concurrence:

for  1-11-12
Michael Holliday Date
Water Rights Supervisor

 1/2/12
Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-7

NAME AND ADDRESS: BURLEY IRRIGATION DIST
280 E 100 S
BURLEY ID 83310

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 163.400 CFS

The rights listed below are limited to a total combined diversion rate of 1660 cfs from the point of diversion located at T09S R22E S1 SWSESW.
Combined Right Nos.: 1-211B, 1-214B, and 1-7 (Burley Irrigation District);
and Right Nos. 1-211A, 1-214A, and 1-8 (Minidoka Irrigation District).

PRIORITY DATE: 04/01/1939

POINT OF
DIVERSION:

T09S R22E S1 SWSESW Within CASSIA County
T10S R22E S19 NWSESW Lot 1 Within CASSIA County
T10S R22E S22 NESESW Within CASSIA County
T10S R24E S30 SWSESW Lot 1 Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	163.400 CFS

PLACE OF USE:

47643 ACRES TOTAL

Place of use is within the boundary of Burley Irrigation District pursuant to Section 43-333, Idaho Code.

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)(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.

Use of the rights listed below is limited to the irrigation of a combined total of 47,643 acres in a single irrigation season. Combined Right Nos.: 1-7, 1-211B, and 1-214B.

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 Bureau of Reclamation license holder's contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 18, 1968) and Abundant-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th 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 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Minnesota South Side Canal.

CB
JH
DL
CA

Burley Irrigation Dist

Acquisition Recommendations: 1-7, 1-211B, 1-214B

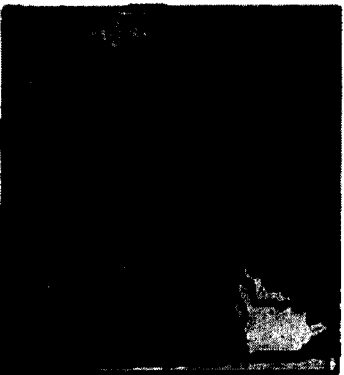
4
R
P
C+



Irrigation Service Area Boundary
CAG Price of Use Illustration

Legend

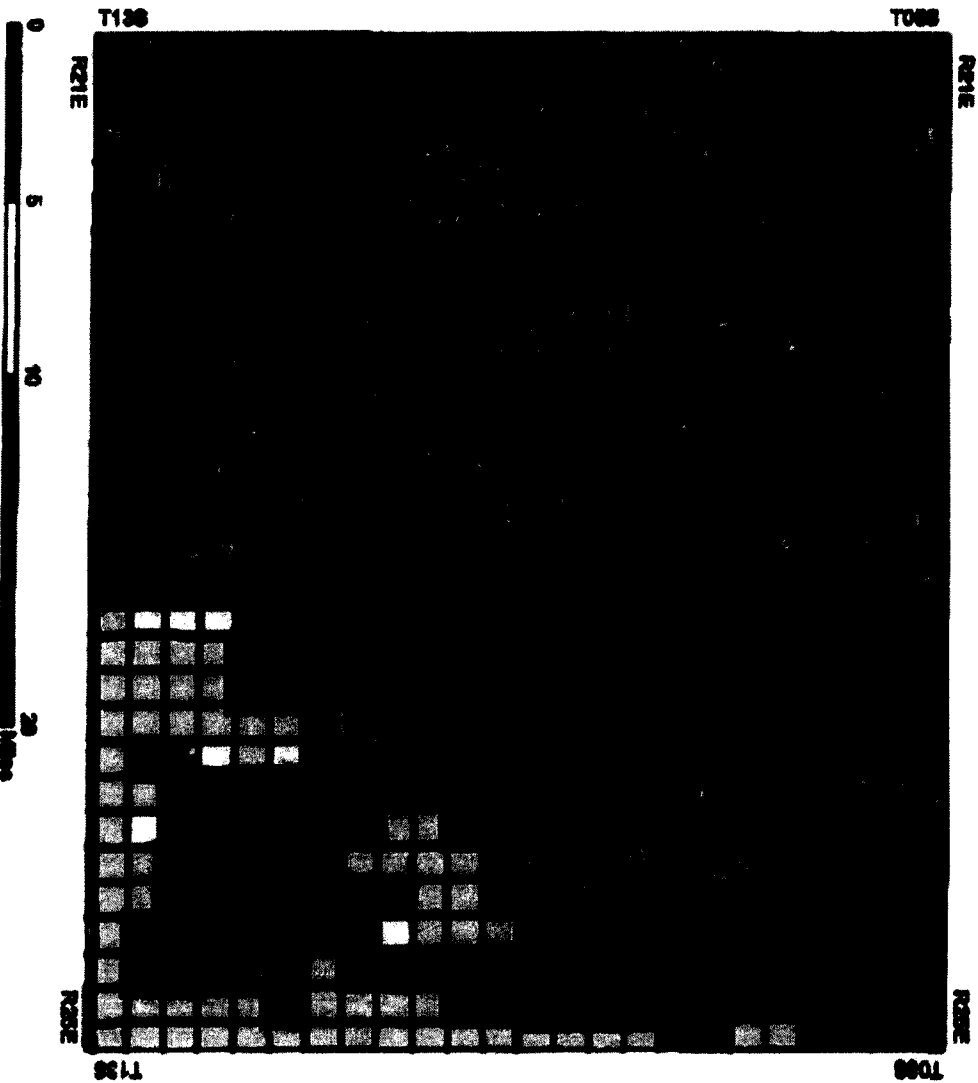
-  Service Area
-  State Outline
-  Township
-  PLS Sections



Availability, Canada Counties

EPWR Basin 1

Prepared by Egbert, Sandy
On December 26, 2011
100700 Aerial Photography



CERTIFICATE OF MAILING

I certify that on January 10, 2012, 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:

BLACKFOOT IRRIGATION COMPANY
FREMONT-MADISON IRRIGATION DISTRICT
UNITED CANAL COMPANY

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

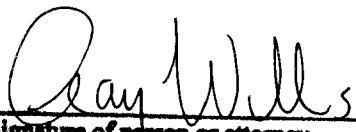
USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BURLEY IRRIGATION DISTRICT
Represented by:
ROGER D. LING
615 H ST.
P.O. BOX 396
RUPERT, ID 83350-0396

BURLEY IRRIGATION DISTRICT

**Represented by:
TRAVIS L. THOMPSON
113 MAIN AVE W, STE 303
P.O. BOX 485
TWIN FALLS, ID 83303-0485**

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



Signature of person or attorney