

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 23 2012	
By _____	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. 01-10482
	)	
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, *which reflects no changes to the original Director's Report*. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/RESPONDENT:
Bureau of Reclamation



David W. Gehlert Date
Attorney for Claimant/Respondent 1/18/2012

OBJECTOR(s):
Fremont-Madison Irrigation District
Blackfoot Irrigation Company
United Canal Company



Jerry R. Rigby Date
Attorney for Objectors 1-18-12

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

RIGHT NUMBER: 1-10482
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1180 N CURTIS RD STE 100
BOISE ID 83706-1234
SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 0.840 CFS
PRIORITY DATE: 06/01/1940
POINT OF
DIVERSION: T098 R25E S1 WENSW Lot 3 Within MINIDOKA County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	02/15 11/15	0.840 CFS
PLACE OF USE: IRRIGATION Within MINIDOKA County		
T098 R25E S36 SESE 0.40	T098 R25E S01 Lot 5 NWSE 2.90	
T098 R25E S01 NWSE 6.40	T098 R25E S01 Lot 8 SWSE 10.50	
T098 R25E S01 NWSE 6.80	T098 R25E S01 Lot 7 SESE 5.00	

32 ACRES TOTAL

This right is limited to the irrigation of 27 acres within the place of use described above in a single irrigation season.

Right Nos. 1-4048 and 1-10482 are limited to the irrigation of a combined total of 32 acres in a single irrigation season.

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(d), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property is also known as Walcott Park.

RESPONDENT:
State of Idaho

Michael C. Orr 1/18/2012
Michael C. Orr Date
Attorney for Respondent

IDWR Concurrence:

for Carter Fitcher 1-18-12 Chris M. Bromley 12/9/11
Michael Holliday Date Chris M. Bromley Date
Water Right Supervisor Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on January 19, 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

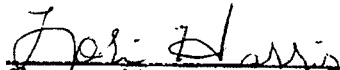
2. Copies to:

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

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

BLACKFOOT IRRIGATION CO
FREMONT-MADISON IRRIGATION
UNITED CANAL CO
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250

IDWR REPOSITORY
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of Person Mailing Form