

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

OCT 25 2012

By _____

Clerk
Deputy Clerk

RECEIVED
OCT 01 2012
Department of Water Resources
Eastern Region

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

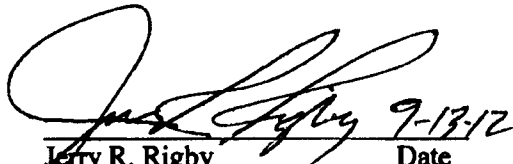
In Re SRBA	)	Subcase No. 21-10921
	)	
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

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.

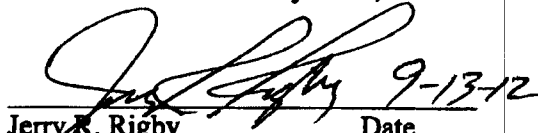
The parties and IDWR agree and stipulate that the elements of this water right should be described as per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:
North Fremont County Cemetery Maint.



Jerry R. Rigby Date
Attorney for Claimant/Objector

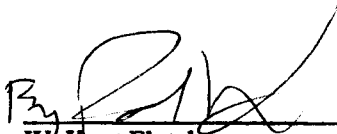
OBJECTOR(s):
Fremont-Madison Irrigation District
North Fremont Canal Systems, Inc.



Jerry R. Rigby Date
Attorney for Objectors

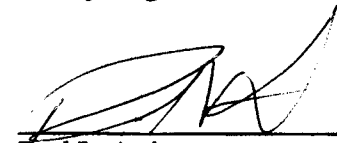
RESPONDENTS:

Minidoka Irrigation District



W. Kent Fletcher 9/23/12
Attorney for Respondent Date

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



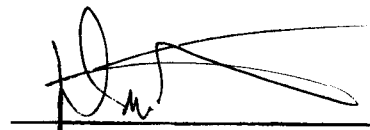
Paul L. Arrington 9/23/12
Attorney for Respondents Date

American Falls Reservoir District #2



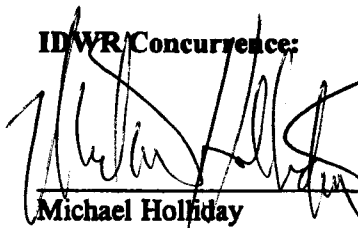
Craig D. Hobdey 9/23/12
Attorney for Respondent Date

Bureau of Reclamation



David W. Gehlert 10/24/12
Attorney for Respondent Date

IDWR Concurrence:



Michael Holliday 10/1/12
Water Rights Supervisor Date



Andrea L. Courtney 9/13/12
Deputy Attorney General Date
Attorney for IDWR

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

RIGHT NUMBER: 21-10921

NAME AND ADDRESS:

NORTH FREMONT COUNTY CEMETERY
MAINT
C/O JAMES HARRELL
PO BOX 670
ASHTON ID 83420

SOURCE:

Source:
GROUND WATER

Tributary:

QUANTITY:

0.440 CFS
38.500 AFY

~~0.220 CFS~~

PRIORITY DATE: 12/31/1955

POINT OF DIVERSION:

T09N R43E S30 Lot 4 SWSW
Within FREMONT County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/15 10/15

0.440 CFS

38.50 AFY

~~05/15 10/15~~

~~0.220 CFS~~

PLACE OF USE:

IRRIGATION within FREMONT County
T09N R43E S30 Lot 4 SWSW 11.0

11 ACRES TOTAL

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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on 067-24, 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:

MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL COMPANY
TWIN FALLS CANAL COMPANY
MILNER IRRIGATION DISTRICT
A & B IRRIGATION DISTRICT

Represented by:

PAUL L. ARRINGTON
195 RIVER VISTA PL., SUITE 204
TWIN FALLS, ID 83301-3029

NORTH FREMONT CANAL SYSTEMS, INC.
FREMONT MADISON IRR. DIST.
FREMONT COUNTY DIST. 4 PARKER CEMETERY

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

MINIDOKA IRRIGATION DISTRICT

Represented by:

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

AMERICAN FALLS RESERVOIR DIST. #2

Represented by:
CRAIG D. HOBDEY
125 5TH AVE.
P.O. BOX 176
GOODING, ID 83330

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

A handwritten signature in black ink, appearing to be 'C. Hobdey', written over a horizontal line.

Signature of person or attorney