

In Re SRBA
Case No. 39576

STIPULATED ELEMENTS OF A WATER RIGHT

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

CLAIMANT(s):

Lawrence & Sheila Poisson

Samuel Basso 9/14/04
claimant Date

Shela Pousin 9/14/04
Claimant Date

STANDARD FORM 5 - 63-7984B

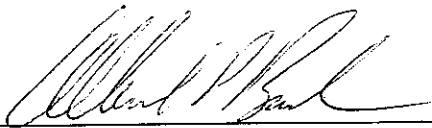
OBJECTOR(s):

USDI/Bureau of Reclamation

David Gehlert 7/13/04
Date
Trial Attorney, General Litigation Section
U.S. Dept. of Justice

OBJECTOR(s):

Boise Project Board of Control

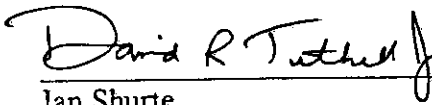


Albert P. Barker

Date

Attorney for Objector(s)

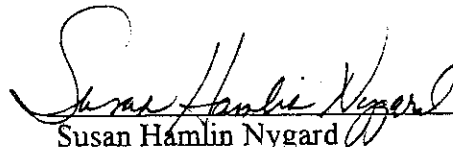
IDWR Concurrence:

 7/23/04

Date

for Jan Shurte

Adjudication Supervisor

 7/22/04

Date

Susan Hamlin Nygard

Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on 9-16, 200⁴, 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:

USDI Bureau of Reclamation
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

Lawrence & Sheila Poisson
3193 Hwy 21
Idaho City, ID 83716

IDWR Repository
P.O. Box 83720
Boise, ID 83720



Signature of person or attorney mailing the form

08/12/2003

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

RIGHT NUMBER: 63-7984B
NAME AND ADDRESS: LAWRENCE POISSON
3193 HWY 21
IDAHO CITY ID 83716

SHEILA POISSON
3193 HWY 21
IDAHO CITY ID 83716

SOURCE: MORES CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.030 CFS
3.50 AFY

PRIORITY DATE: 05/27/1974

POINT OF
DIVERSION: T05N R04E S24 SENE Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/15	0.030 CFS 3.50 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County
T05N R04E S24 SENE 1.0

1 ACRES TOTAL

08/12/2003

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

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 - License

Dr
Dr
Sub
2006