

Work Copy Land List

45707153

Town- ship	Range	Sec	NE 1/4			NW 1/4			SE 1/4			SW 1/4			NE 1/4			NW 1/4			SE 1/4			TOTALS
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
27 S	47 E	31																						16.3
27 S	46 E	36	3.4	5.5	1.7	12.9															1.3			23.8
		25		16.8	1.8				1.0		6.6	1.9												45.3
		24			10.6				19.3	3.4	18.6	2.3												90.9
		14																			2.1		2.7	4.8
		13								5.1														26.2
		12																						17.0
		11																						26.6
Idaho 35	6 W	14								4.1	3.3	6	17	4										70
		13																						30
		23																						1
Oregon																								
26 S	46 E	35							6.5	.6	7.0	5.2												19.7
		27	6.8			4.3															2.8			13.9
		26							0.2															13.8
		23							10.3	2.6														14.6
		22	14.7			20.2															24.8			74.2
		17							6.7	3.8														10.5
		15	31.3			26.0															18.7			85.1
		14								30.3	11.0													61.9
		11								11.9	14.1													92.8
		10	33.6	16.6	9.7	25.9																		143.6
		9																						20.3
		8	33.8	0.7	27.0	37.7				2.6	5.9													166.7
		5																						54.0
		4	4.1	2.2		9.7				4.4														145.4
		3	23.9			5.7				34.1	36.0													231.1
		2								4.3														272.9
		1																						102.7
																								58.8

MICROFILMED
OCT 07 1992

Work Copy Land List

A57-07/53

Township	Range	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
25 S	46 E	34									2.4	19.3							21.7
		33			26.3		5.6	31.0	25.1	29.9	31.5	20.8	33.1	20.7	30.7	34.3	35.5	34.7	359.2
		32	15.3																15.3
		29	27.5	30.2	28.7	30.7									31.3	31.1	20.0	37.9	237.4
		28						1.6	3.0				3.4						8.0
		20		22.3	10.6		1.3								6.0	13.2	33.1	17.9	104.4
		17												0.5		2.9	19.8		23.2
24 S	46 E	5	4.1 1.6		4.7 17.6	4.8 23.6				4.11 2.0									44.8
		4					4.3 5.2	4.4 4.0		4.6 0.8									10.0
23 S	46 E	33				0.5								9.3	7.0	5.6	21.7	1.5	45.6
		28	7.8			8.5													16.3
		27					~~11.5~~	30.2	11.7										~~63.4~~ 41.9
		22					7.3	19.8	28.6	11.8	17.3	36.1	36.0	8.8					172.7/165.1
		21													0.7			7.0	7.7
		15											4.3	5.5					9.8
																			2940.7 41
																			2682.2
																			< 80.9 >
																			2601.3

Green marks are deleted, non-deeded ground
 Red figures are annexable lands not included in total

MICROFILMED
 OCT 07 1992



COPY OF MAP FROM ADJ. EZARIL
FOR 151-04602 SHOWING DEPOSITION
& ZONE AREAS AS OF 1971-72



151-04602
151-04602

151-04602
151-04602

Subject
Borrow
Pit

UNCLASSIFIED
DATE 10/1/82



Looking Nor-
east at the
reservoir
area from
the top and
center of the
dam.



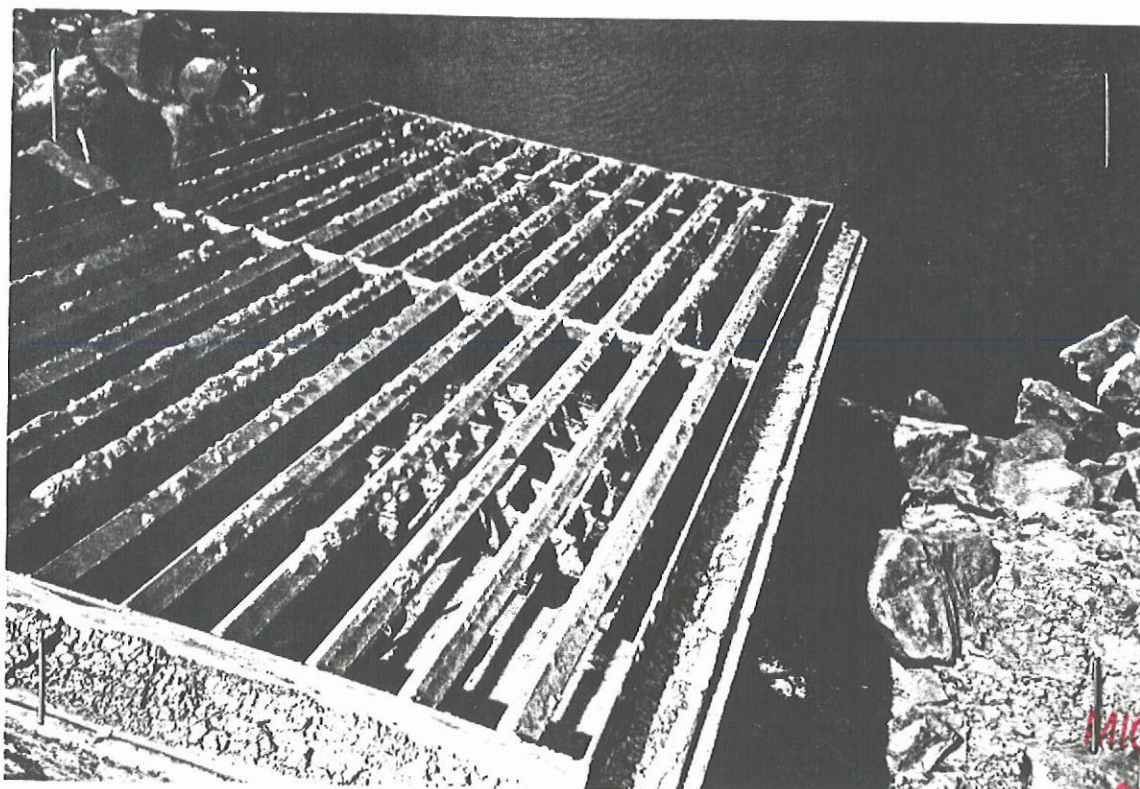
Looking
Northeast
at the spill-
way and
outlet (lower
center) of the
dam.

LMED
1992

57-7153



Looking
South west
at the
control gate



Facing
looking
North and
down looking
down at the
control gate

MICROFILMED
OCT 07 1992

D.E. per irrig. acc. but sent in with orig. claim.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-07153
Date Received: 1/17/1989
Receipt No: C005132
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUCCOR CREEK DIST. IMPROVEMENT CO.
Address: ROCKVILLE RT.
JORDAN VALLEY, OR 97910

2. Date of Priority: NOV 24, 1975

3. Source: SUCCOR CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	05W	7	NE	NE			OWYHEE

5. Description of diverting works:
DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			6340.00
IRRIGATION FROM STORAGE	05/01	10/01			6340.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 6340.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	06W	14	NW	NW	1	IRR	1.0
			SW	NW	2	IRR	36.0
			SE	NW		IRR	6.0
			NE	SW		IRR	17.0

MICROFILMED
OCT 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	06W	14	NW	SW		IRR	4.0
			SE	SW		IRR	6.0
Section Acres							70.0
Total Acres							70.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

P/U WITHIN LANDS OF SUCCOR CREEK DISTRICT IMPROVEMENT COMPANY.
P/U IN OREGON AND IDAHO. SEE ATTACHED LAND LIST SHEETS (2).
RES. LOCATED IN NE 1/4, S7, T3S, R5W.
TOTAL ACRES IN DIST. = 2940.7
TOTAL ACRES IN IDAHO = 70, TOTAL ACRES IN OREGON = 2531.3. TOTAL
IRRIGATED ACRES IN DISTRICT = 2601.3.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED
OCT 07 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 07 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-07153
Date Received: 1/16/1989
Receipt No: 0005132
Received By: DL 1/16/89

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Address: ROCKVILLE RT.
JORDAN VALLEY, OR 97910

2. Date of Priority: NOV 24, 1975

3. Source: SUCCOR CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	05W	7	NE	NE			OWYHEE

5. Description of diverting works:
DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			6340.00
IRRIGATION FROM STORAGE	05/01	10/01			6340.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 6340.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? YES

A57-07153

Page 1

Date: 01/16/89

MICROFILMED
OCT 07 1992

13. Other Water Rights Used:

14. Remarks:

P/U WITHIN LANDS OF SUCCOR CREEK DISTRICT IMPROVEMENT COMPANY.
P/U IN OREGON AND IDAHO. SEE ATTACHED LAND LIST SHEETS (2).
RES. LOCATED IN NE 1/4, S7, T3S, R5W.
TOTAL ACRES IN DIST. = 2940.7

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Organizations:

I do solemnly swear or affirm that I am President of

Succor Creek Dist. Improvement Co., that I have signed the foregoing

Title

document in the space below as President of

Title

Succor Creek Dist. Improvement Co., and that the statements contained in the

Organization

foregoing document are true and correct.

Robert D. Davis Pres
Signature of Authorized Agent

Pres. Succor Creek district improvement
Title and Organization

1/16/89
Date

State of Idaho

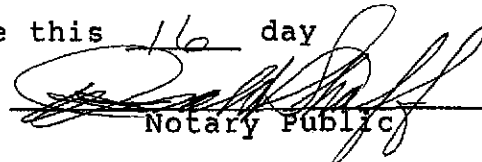
County of

Ada

) SS.
)

Subscribed and sworn (or affirmed) before me this 16 day

of January 19 89


Notary Public

Seal

Residing at Boise, ID

My Commission Expires June 10, 1994

1 of 2

A57-07153

LAND LIST

Succor Creek

Township	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS			
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4				
Idaho																						
035	6W	14																				
Oregon																						
027S	47E	31																				
27S	46E	36	2.4	5.5	1.7	12.9																
		25		16.8	1.8																	
		24			10.6																	
		14																				
		13																				
		12																				
		11		4.7	4.3	12.1																
26S	46E	35																				
		27	6.8		4.3																	
		26																				
		23																				
		22	14.7		20.8																	
		17																				
		15	31.3		26.0																	
		14																				
		11																				
		10	33.6	16.6	9.7	25.9																
		9																				
		8	33.8	0.7	27.0	37.7																
		5				9.7																
		4	4.1																			
		3																				
		2																				

MICROFILMED
OCT 07 1992

LAND LIST

2 of 2

A51-07153
Succor Creek

Town- ship	Ran- ge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
255	46E	34									2.4	19.3							21.7
		33			26.3		5.6	31.0	25.1	29.9	31.5	20.8	33.1	20.7	30.7	34.3	35.5	34.7	359.2
		32	15.3																15.3
		29	27.5	30.2	28.7	30.7									31.3	31.1	20.0	37.9	237.4
		28						1.6	3.0				3.4						8.0
		20		22.3	10.6										6.0	13.2	33.1	17.9	103.1
		17														2.9	19.8		22.7
245	46E	5	4.1		4.7	4.8													42.8
		4	1.6		17.6	23.6				4.6									0.8
										0.8									
235	46E	33												9.3		5.6	21.7		36.6
		28	7.8																7.8
		27						30.2	11.7										41.9
		22					7.3	19.8	28.6	11.8	17.3	36.1	36.0	8.8					165.7
		21													0.7			7.0	7.7
		15											4.3	5.5					9.8
																			<u>260.3</u>

MICROFILMED
Oct 27 1992

Work Copy Land List

457-07/53

Town-ship	Range	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
Ore	27S	47E	31									4.3	4.4						16.3
	27S	46E	36	2.4	5.5	1.7	12.9					1.5	1.3		1.3				23.8
		25		16.8	1.8		4.0			6.6	1.9					3.9	13.3		45.3
		24			10.6		19.3	3.4		18.6	2.3					20.6	16.1		90.9
		14													2.7			2.7	4.8
		13						5.1				3.5	16.4	1.2					26.2
		12										6.3	10.7						17.0
		11		4.7	4.3	12.1									5.5				26.6
Idaho	35	6W	14					4.1	3.3	6	17	4		6			10		70
		13											2	12	7	9			30
		23		1															1
Oregon	26S	46E	35				6.5	.6		7.0	5.2			0.4					19.7
		27	6.8			4.3									2.8				13.9
		26						2.2				4.2	8.3	1.1					13.8
		23						10.3	2.6			1.0	0.7						14.6
		22	14.7			20.2									24.8			14.5	74.2
		17					6.7	3.8											10.5
		15	31.3			26.0									18.7			9.1	85.1
		14						30.3	11.0			5.6	15.0						61.9
		11						11.9	14.1			30.9	35.9						92.8
		10	33.6	16.6	9.7	25.9									28.5	2.9	0.2	26.2	143.6
		9						2.6	5.9			11.8							20.3
		8	33.8	0.7	27.0	37.7				4.3				22.6	7.8	26.3	6.5		166.7
		5				9.7									16.9			27.4	54.0
		4	4.1	4.2		5.7	4.3	4.4	34.1	36.0		26.8	15.5						145.4
		3	23.9	2.2		5.7	4.3	4.4	32.6	15.3	26.6	21.9		0.4	19.6	30.7	28.4	28.2	231.1
		2			14.4	32.4				2.0	24.8	5.2	30.7	40.0	38.4	38.4	36.0	19.6	272.9
		1							38.0	17.2		2.6							58.8

MICROFILMED
OCT 07 1992

2789, 8

A57-07153

Work Copy Land List

Town-ship	Range	Sec	NE 1/4			NW 1/4			SE 1/4			SW 1/4			NE 1/4			NW 1/4			SE 1/4			SW 1/4			TOTALS
			NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	NE 1/4	NW 1/4	SE 1/4	
25S	46E	34										2.4	19.3														21.7
		33							5.6	31.0	25.1	29.9												34.3	35.5	34.7	359.2
		32	15.3																								15.3
		29	27.5	30.2	28.7	30.7												31.3	31.1	20.0	37.9						237.4
24S	46E	28								1.6	3.0									3.4							8.0
		20																6.0	13.2	33.1	17.9						104.4
		17																									23.2
		5	1.1		1.7	4.8			1.3	1.4		1.1															44.8
23S	46E	4								1.0		1.6															10.0
		33																									45.6
		28	7.8															9.3	5.6	21.7	1.5						16.3
		27																									63.441.9
		22							7.3	19.8	28.6	11.8															172.7165.1
		21																0.7									7.7
		15																									9.8
																											2940.7 41
																											2682.2
																											< 80.9
																											2601.3
																											Green marks are deleted; non-needed ground Red figures are annexable lands not included in total

MICROFILMED
OCT 8 7 1992

60.9

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

1978 FEB -9 PM 1:09

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-07153

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: SUCCOR CREEK DISTRICT IMPROVEMENT CO
ROCKVILLE RT
JORDAN VALLEY OR 97910

SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 6340.0 AFY

PRIORITY DATE: 11/24/1975

POINT OF DIVERSION: T03S R05W S07 NENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	6340.0 AFY
	IRRIGATION FROM STORAGE	Irrigation Season	6340.0 AFY

PLACE OF USE:

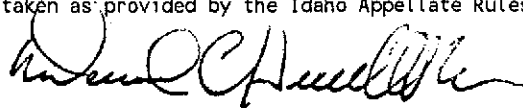
PLACE OF USE INCLUDES THE IRRIGATION OF 2258 ACRES WITHIN THE
STATE OF OREGON.

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

10/31/2000

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

RIGHT NUMBER: 57-7153

NAME AND ADDRESS: SUCCOR CREEK DISTRICT IMPROVEMENT CO
ROCKVILLE RT
JORDAN VALLEY, OR 97910

SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

6340 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN 4.5 AFA PER ACRE FOR IRRIGATION OF THE LANDS
ABOVE.

PRIORITY DATE: 11/24/1975

POINT OF DIVERSION: T03S R05W S7 NENE Within Owyhee County
T03S R05W S7 NWNE Within Owyhee County

A SINGLE POINT OF DIVERSION IS LOCATED ON THE LINE BETWEEN
THE NENE AND THE NWNE T03S, R05W, S7.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	04-01 10-31	6,340.0 AFY
IRRIGATION STORAGE	01-01 12-31	6,340.0 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within
MALHEUR County

T23S R46E S21	NENE	7.8	T23S R46E S21	SESE	8.1
T23S R46E S22	SWNW	22.8	T23S R46E S22	NESW	15.7
T23S R46E S22	NWSW	34	T23S R46E S22	SWSW	34.4
T23S R46E S22	SESW	9.1	T23S R46E S27	NWNW	19.7
T23S R46E S27	SWNW	3.1	T23S R46E S33	SESW	6.4
T23S R46E S33	NWSE	4.5	T23S R46E S33	SWSE	24.9
T24S R46E S11	NWNE	3.6	T24S R46E S11	SWNE	3.4
T24S R46E S11	SENE	9.7	T24S R46E S11	NESE	10.4
T24S R46E S5	SWNE	13.1	T24S R46E S5	SENE	29.8
T25S R46E S1	NWSW	20	T25S R46E S17	NWSE	0.1
T25S R46E S17	SWSE	16.8	T25S R46E S20	NWNE	17.3
T25S R46E S20	SWNE	11	T25S R46E S20	NWSE	12.1
T25S R46E S20	SWSE	33.2	T25S R46E S20	SESE	22.9
T25S R46E S28	NWNW	2.4	T25S R46E S28	SWNW	4.4
T25S R46E S28	SWSW	7.3	T25S R46E S29	NENE	31.6
T25S R46E S29	NWNE	30.3	T25S R46E S29	SWNE	30.2
T25S R46E S29	SENE	33.4	T25S R46E S29	NESE	38.8
T25S R46E S29	NWSE	29	T25S R46E S29	SWSE	12
T25S R46E S29	SESE	37.9	T25S R46E S32	NENE	16.2
T25S R46E S33	SWNE	25.8	T25S R46E S33	NENW	20.6
T25S R46E S33	NWNW	36	T25S R46E S33	SWNW	25.5
T25S R46E S33	SENW	32.2	T25S R46E S33	NESW	37.2
T25S R46E S33	NWSW	21	T25S R46E S33	SWSW	34.3

T25S R46E S33		SESW	21.5	T25S R46E S33		NESE	33.6
T25S R46E S33		NWSE	36.5	T25S R46E S33		SWSE	31.5
T25S R46E S33		SESE	35.1	T25S R46E S34		NWSW	4.1
T25S R46E S34		SWSW	23	T26S R46E S10		NENE	32.8
T26S R46E S10		NWNE	14.3	T26S R46E S10		SWNE	10.9
T26S R46E S10		SENE	33.2	T26S R46E S10		NESE	32.8
T26S R46E S10		NWSE	3.7	T26S R46E S10		SESE	24.4
T26S R46E S11		NWNW	9.6	T26S R46E S11		SWNW	14
T26S R46E S11		NWSW	38.5	T26S R46E S11		SWSW	38.6
T26S R46E S14		NWNW	29.8	T26S R46E S14		SWNW	10.9
T26S R46E S14		NWSW	9	T26S R46E S14		SWSW	6.1
T26S R46E S15		NENE	28.1	T26S R46E S15		SENE	22.3
T26S R46E S15		NESE	19.8	T26S R46E S15		SESE	15.4
T26S R46E S17		NENW	8.7	T26S R46E S17		NWNW	6
T26S R46E S2		NESW	3.2	T26S R46E S2		NWSW	5.5
T26S R46E S2		SWSW	30.6	T26S R46E S2		SESW	15
T26S R46E S2		NESE	29	T26S R46E S2		NWSE	15.8
T26S R46E S2		SWSE	26	T26S R46E S22		NENE	12.7
T26S R46E S22		SENE	17.5	T26S R46E S2		SESE	10
T26S R46E S22		NESE	23.7	T26S R46E S22		SESE	19.3
T26S R46E S23		NWNW	12.1	T26S R46E S23		SWNW	6.4
T26S R46E S26		NWSW	3.5	T26S R46E S26		SWSW	3.8
T26S R46E S27		NENE	8.9	T26S R46E S27		SENE	2.1
T26S R46E S27		NESE	2.2	T26S R46E S3		SWNE	18.9
T26S R46E S3	LOT 3	NENW	13.8	T26S R46E S3	LOT 4	NWNW	35
T26S R46E S3		SWNW	12	T26S R46E S3		SENW	31.2
T26S R46E S3		NESW	25	T26S R46E S3		NESE	19.5
T26S R46E S3		NWSE	32.9	T26S R46E S3		SWSE	23.9
T26S R46E S3		SESE	26.9	T26S R46E S35		NENW	6.2
T26S R46E S35		NWNW	2.6	T26S R46E S35		SENW	10.8
T26S R46E S35		NESW	5.3	T26S R46E S35		SESW	1
T26S R46E S4	LOT 1	NENE	21.1	T26S R46E S4	LOT 4	NWNW	38.6
T26S R46E S4		SWNW	36.1	T26S R46E S4		NWSW	28.4
T26S R46E S4		SWSW	20.1	T26S R46E S5	LOT 1	NENE	2
T26S R46E S5		SENE	10	T26S R46E S5		NESE	17.3
T26S R46E S5		SESE	30.3	T26S R46E S8		NENE	39
T26S R46E S8		SWNE	29.2	T26S R46E S8		SENE	32.5
T26S R46E S8		NESW	4.7	T26S R46E S8		SESW	26.3
T26S R46E S8		NESE	9.8	T26S R46E S8		NWSE	33.7
T26S R46E S8		SWSE	8.2	T26S R46E S9		NWNW	4.5
T26S R46E S9		SWNW	4.5	T26S R46E S9		NWSW	13
T27S R46E S12		NWSW	4.8	T27S R46E S12		SWSW	9.5
T27S R46E S13		NWNW	6.4	T27S R46E S13		NWSW	1.2
T27S R46E S13		SWSW	13.9	T27S R46E S14		SESE	4.3
T27S R46E S24		SWNE	4.8	T27S R46E S24		NWNW	4.6
T27S R46E S24		SENW	17.3	T27S R46E S24		NWSE	18
T27S R46E S24		SWSE	14.2	T27S R46E S25		NWNE	10.9
T27S R46E S25		SWNE	3	T27S R46E S25		NESW	1
T27S R46E S25		NWSE	2.7	T27S R46E S25		SWSE	10.5
T27S R46E S36		NENE	3.5	T27S R46E S36		NWNE	3.7

2550.1 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.

THE RIGHT HOLDER SHALL INSTALL/MAINTAIN PERMANENT MEASURING DEVICES IN SUCH A MANNER THAT THE AMOUNT OF WATER ENTERING THE

RESERVOIR AND THE AMOUNT OF WATER RELEASED FROM THE RESERVOIR
CAN BE MEASURED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

COPY

RECEIVED

NOV 08 2000

Department of Water Resources

RECEIVED

DEC 12 2000

WATER RESOURCES
WESTERN REGION

2000 NOV -7 AM 10: 49

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**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.

57-07153

Case No. 39576

NOTICE OF COMPLETED

ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **LICENSE ISSUED**
Place of Use is in State of Oregon.

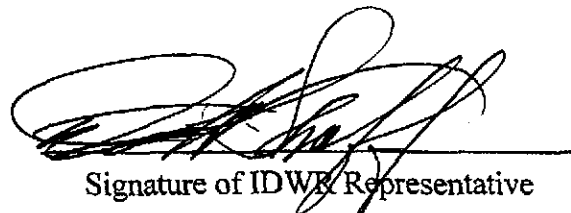
Name of Claimant:

SUCCOR CREEK DISTRICT IMPROVEMENT CO
ROCKVILLE RT
JORDAN VALLEY, OR 97910

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 10/31/00


Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/21/96

CERTIFICATE OF MAILING

I certify that on 11-6, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Cliff S Bentz
PO Box 450
Fruitland ID 83619
3. One Copy to:
Succor Creek District Improvement Co
Rockville Rt
Jordan Valley OR 97910
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Sandy Egbert

Signature of person or attorney mailing the form

2002 APR -9 AM 11:14

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	Water Right 57-07153
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on February 9, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE Irrigation from Storage: 04-01 TO 10-31

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

7-13-00

Condie will mail
the atty gen Amended
Claim - he will pursue
obtaining a copy of the
Oregon permit for our
allocation section and
work with Shelly Keen

Condie will file and
SF5 amended directors
report after the claim
is amended

- (b) a water right application for permit filed under chapters 2 or 15, title 42, Idaho Code;
- (c) a water right permit issued under chapters 2 or 15, title 42, Idaho Code, unless the director required the permit holder to file a notice of claim in accordance with subsection (7) of section 42-1409, Idaho Code;
- (d) a water right license issued under chapter 2 or 15, title 42, Idaho Code, if proof of beneficial use had not been filed on the date of commencement of the general adjudication, unless the director required the license holder to file a notice of claim in accordance with subsection (7) of section 42-1409, Idaho Code; and
- (e) a claim to a water right established under federal law, if the priority of the right claimed is later than and junior to the date of entry of the order commencing the general adjudication.

(2) The exceptions from the conclusive effect of a decree in a general adjudication stated in subsection (1) above shall not apply to any water right for which a notice of claim or negotiated agreement is filed. [I.C., § 42-1420, as added by 1986, ch. 220, § 20, p. 558 and 1986, ch. 230, § 4, p. 621; am. 1994, ch. 454, § 26, p. 1443; am. 1996, ch. 186, § 5, p. 584.]

Compiler's notes. Section 25 of S.L. 1994, ch. 454 is compiled as § 42-1417.

Section 4 of S.L. 1996, ch. 186 is compiled as § 42-1414.

Sec. to sec. ref. This section is referred to in §§ 42-1401A, 42-1409 and 42-1424.

42-1421. Procedures for adjudication of unperfected water rights initiated under state law — Director's jurisdiction. — (1) All persons claiming a water right based on an application or permit on the date of entry of the order commencing a general adjudication are not required to file a notice of claim unless required in accordance with subsection (7) of section 42-1409, Idaho Code. If the director approves the application in whole or in part during the pendency of a general adjudication and prior to filing the director's report, the director shall notify the permit holder of the pendency of the general adjudication. A permit holder who is not required by the director to file a notice of claim in accordance with subsection (7) of section 42-1409, Idaho Code, may file a notice of claim at any time prior to filing the director's report.

(2) All persons claiming a water right based on a water right license existing on the date of entry of the order commencing a general adjudication shall file a notice of claim.

(3) The district court shall decree any claimed water right for which proof of beneficial use has not been filed, but shall state that the right is conditioned upon completion of the appropriation in accordance with the laws of the state governing the appropriation of water and that the decreed right shall be subject to the terms of the license to appropriate water that is ultimately issued.

(4) The director retains jurisdiction of all applications, permits and licenses under chapter 2, 3, 6 or 15, title 42, Idaho Code, to take action authorized by the conditions contained in any permit or license or by applicable law and action on any application for transfer under section 42-222, Idaho Code.

(5) The director retains jurisdiction of all decreed water rights under chapters 2, 3 and 6, title 42, Idaho Code, to take action authorized by the conditions of any decree or by applicable law, including action on any application for transfer under section 42-222, Idaho Code.

(6) The director retains jurisdiction of all beneficial use water rights under chapters 2, 3 and 6, title 42, Idaho Code, to take action authorized by applicable law. [I.C., § 42-1421, as added by 1986, ch. 220, § 21, p. 558; am. 1994, ch. 454, § 27, p. 1443; am. 1996, ch. 186, § 6, p. 584.]

Compiler's notes. Section 7 of S.L. 1996, ch. 186 is compiled as § 42-1425.

42-1422. Special master — Appointment — Powers and duties — Compensation — Disqualification — Review of special master's report. — (1) The district court may appoint one (1) or more special masters in any general adjudication.

(2) The district court shall specify the powers and duties of a special master in the order of reference. The compensation and disqualification of a special master shall be governed by order or rule of the supreme court.

(3) Objections to and hearing on the special master's report shall be governed by rule 53(e) of the Idaho rules of civil procedure. [I.C., § 42-1422, as added by 1986, ch. 230, § 5, p. 621; am. 1994, ch. 454, § 28, p. 1443.]

Compiler's notes. This section was enacted by two 1986 acts — ch. 220, § 22, approved April 3, 1986, at 6:06 a.m., effective July 1, 1986, and ch. 230, § 5, approved April 3, 1986 at 1:14 p.m., effective July 1, 1986 — which were not compatible but conflicted and could not be compiled together. Therefore, § 42-1422 as added by ch. 230, § 5 as the

latest expression of the legislature was compiled. S.L. 1994, ch. 454, § 28 amended the compiled version.

Section 29 of S.L. 1994, ch. 454 is compiled as § 42-1428.

Sec. to sec. ref. This section is referred to in § 42-1425.

42-1423. Attorneys fees and costs against the state of Idaho, any state agency or any officer or employee. — No judgment for costs or award of attorneys fees against the state of Idaho, any state agency, or any officer or employee of the state of Idaho shall be allowed in any water rights adjudication proceeding pursuant to this chapter. The state of Idaho expressly refuses to waive its sovereign immunity to the imposition of any judgment for costs or award of attorney fees. The state of Idaho, state administrative agency, or any officer or employee shall not be required to pay any fees other than those provided in section 42-1414, Idaho Code, for appearing in a proceeding brought under this chapter or any appeal of a matter arising from such proceeding. [I.C., § 42-1423, as added by 1994, ch. 454, § 30, p. 1443.]

Compiler's notes. Former § 42-1423 was amended and redesignated as § 42-1428. Sections 29 and 31 of S.L. 1994, ch. 454 are

compiled as §§ 42-1428 and 42-1425, respectively.

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SEP 01 99

Department of Water Resources

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)

Case No. 39576)

A. Subcase 57-07153

STANDARD FORM 1a

OBJECTION TO IRRIGATION SEASON
AND/OR CONJUNCTIVE MANAGEMENT
GENERAL PROVISIONS

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Succor Creek District Improvement Co.
(Ron Cunningham, President)
Address: 502 Succor Creek Rd.
Jordan Valley OR 97910
Daytime Phone: (541) 339-3403

Name & address of attorney, if any:

Yturri Rose LLP
Attn: Cliff Bentz or Todd Winegar
89 SW 3rd Avenue/PO Box "S"
Ontario, Oregon 97914

C. CLAIMANT OF WATER RIGHT AS LISTED IN
SUPPLEMENTAL DIRECTOR'S REPORT

Name: Succor Creek District
Improvement Company
Address: Rockville Rt.
Jordan Valley OR 97910

D. ELEMENTS OBJECTED TO:

8. Period (Irrigation Season) of Use

Should be: April 1 - October 31

12. General Provision

Number: - Reported in Basin: -

Comments: --

E. REASONS SUPPORTING OBJECTION: (if you have additional reasons, please attach to this form)

This standard form is for the sole purpose of objecting to the Director's supplemental recommendations on irrigation season of use and general provisions. This form may not be used to object to any other elements of your water right.

If you have evidence that the recommendations on irrigation season of use and/or conjunctive management adversely affect other elements of your water right, please contact the Snake River Basin Adjudication at 208-736-3011. A deputy clerk of the court will inform you of how to proceed.

F. VERIFICATION (Must be Completed)

State of OREGON)

County of Malheur) ss.

Todd J. Winegar, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

Todd J. Winegar
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 2-21-99

Kathy Newkirk
Notary Public
for Oregon

Residing at: Weiser, Idaho

My Commission Expires: 2-9-01



INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 2-31, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Succor Creek District Improvement Co.
Address: 502 Succor Creek Road
Jordan Valley, Oregon 97910

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

[Signature]
Signature of Objector or attorney

SEP 01 1999

REASONS SUPPORTING OBJECTION

Department of Water Resources

Introduction

This objection is being filed by the Succor Creek District Improvement Company ("Company") in response to the Director's proposed "period of use" for basin 57. The proposed "period of use" is May 1 through October 1. The Company has been operating under an April 1 through October 31 "period of use" in connection with both an Idaho and Oregon permit.

I. FACTS

A. Idaho.

The Succor Creek Improvement Company ("Company") includes approximately 2,600 irrigated acres located in both Oregon and Idaho. The Company irrigates this property with the stored waters of the Texas Basin Dam and Reservoir. The Texas Basin Dam and Reservoir is located in the NE ¼ Sec. 7, Twn. 3 South, Range 5 West, B.M., Owyhee County, State of Idaho. Of the Company's 2,600 acres, approximately 50 acres are located in Idaho.

Currently, the Company is operating under a water permit in the State of Idaho (#57-07153). The Company has been operating under an April 1 through October 31 "period of use" in connection with its Idaho permit. This period of use applies to the release of water from the Texas Basin Reservoir and application to 50 acres located in Idaho. Additionally, the Company's Idaho permit provides for the year around storage of water in the Texas Basin Reservoir. The Director of Water Resources is proposing May 1 through October 1 as the "period of use" for the irrigation from storage for the Company. This would shorten the Company's period of use by two months.

B. Oregon.

Approximately 2,550 of the Company's 2,600 acres are located in Oregon. Therefore, approximately 98% of the "stored" water of the Texas Basin Reservoir (located in Idaho) is used for irrigation purposes in Oregon. Currently, the Company is operating under a permit in the State of Oregon (#R-6469 and #40584).

Approximately three months ago, the Company filed its final proof survey in the State of Oregon. The Company is now waiting for a certificate to be issued. The State of Oregon's "period of use" for the Company is April 1 through October 31. Therefore, the current Idaho permit provides the same "season of use" or "period of use" as Oregon.

II. DISCUSSION

There are three water rights which could potentially be affected by the Director's proposed period of use:

1. Oregon application/irrigation from storage;
2. Idaho application/irrigation from storage; and
3. Irrigation storage in Idaho.

It does not appear the Director's proposed "period of use" for the Company's storage rights will be affected. The Company's right to store water in the Idaho reservoir (Texas Basin Reservoir) in accordance with its Idaho permit is the same as that being proposed by the Director.

However, the Director's proposed "period of use" for *irrigation* from storage in the State of Idaho would effectively shorten the irrigation season set forth in the Idaho permit. Additionally, the shortened "period of use" for irrigation from storage could shorten the Company's application rights in the State of Oregon since it may limit the release from storage which will take place in the State of Idaho. We recently discussed this situation with a representative of the Idaho Department of Water Resources (Don Shaff). According to Mr. Shaff, the IDWR may be willing to agree to a stipulation between the Company and the IDWR which would permit the Company to operate under its existing season of use in Oregon and under the Idaho permit. However, the IDWR may not be willing to provide the stipulation until the Company obtains its perfected water right. This raises an interesting dilemma.

As previously discussed, the Company has filed its final proof survey in Oregon for the purpose of procuring a certified water right in that state. Once that certificate is issued, it will be forwarded to the Idaho Department of Water Resources

(IDWR) for review in order to obtain a water license/certificate in Idaho. The IDWR has contacted our office and advised that it would be acceptable to the department to wait until the Oregon certificate is issued. Thereafter, the Idaho certificate will be issued in accordance with the Oregon certificate. The Company is now waiting for the State of Oregon to issue its certificate.

The IDWR has indicated its willingness to agree to a "stipulation" between the Company and the IDWR due to the Company's location (98% in Oregon), the Oregon "season of use" and the rights conferred in its existing Idaho permit. This stipulation agreement would permit the Company to operate under its existing "season of use" in Oregon and the Idaho permit. However, the IDWR may not be willing to provide the stipulation until the Company obtains its perfected water right. For this reason, the IDWR has advised the Company to file this objection in order to ensure that a decree is not issued against the Company without making the SRBA Court aware of the situation.

III. CONCLUSION

This objection is being filed by the Company in response to the Director's proposed "period of use" for basin 57. The proposed period of use is May 1 through October 1. The Company has been operating under an April 1 through October 31 "period of use" in connection with its Oregon and Idaho water permits. The IDWR may be willing to stipulate to the longer period of use due to the fact that the Company is located largely in Oregon and that the Company's Idaho permit provides for the longer season of use. However, since the Company is operating under a permit in both Idaho and Oregon, the IDWR would prefer to wait until the Company obtains its water certificate before it stipulates to the longer period of use.

It is our understanding that the SRBA Court will schedule a status conference for the purpose of establishing a plan for the future and discussing the Company's objection. It may be beneficial to discuss the likelihood of a future stipulation agreement with a representative of the IDWR. As previously stated, we discussed the situation with Don Shaff of the IDWR. Mr. Shaff is familiar with the facts surrounding this objection.

We appreciate your consideration of the Company's objection and look forward to working with both the SRBA Court and the IDWR in reaching a decision surrounding the Director's proposed period of use for the Company.

SRBA

SUBCASE SUMMARY REPORT 57-07153

[Return to SRBA Home Page](#)

SRBA
03-08-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 57-07153 FILE#: 00772
CLAIMANT: SUCCOR CREEK DISTRICT IMPROVEM
STATUS: BASIN-WIDE ISSUE
WATER SOURCE: SUCCOR CREEK, SNAKE RIVER
ISSUES: PERIOD OF YEAR WHEN WATER IS USED

**** PARTIES INVOLVED ****

SUCCOR CREEK DISTRICT IMPR C PRO SE
SUCCOR CREEK DISTRICT IMPR O ATTY: CLIFF S. BENTZ

**** ROA ENTRIES ****

02-09-1998	PARTIAL DECREE FILED	02-09-1998
02-09-1998	CERTIFICATE OF MAILING - PARTIAL DECREE	
08-05-1999	SUPPLEMENTAL DIRECTOR'S REPORTS, RP 1, BASIN 57 PERIOD OF USE & CONJUNCTIVE MANAGEMENT	
08-31-1999	CONSOLIDATED: SEE BASIN-WIDE ISSUE 91-5-57	08-31-1999
09-02-1999	OBJ 01 F/B SUCCOR CREEK DISTRICT IMPRMNT	RB 07-01-1993 0001

[Return to SRBA Home Page](#)

WR5809NP
No. 57-07153

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/13/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUCCOR CREEK WATER CONTROL DISTRICT ROCKVILLE RT. JORDAN VALLEY OR 979100000	11/24/1975	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01/01 12/31 05/01 10/01		6340.00 AFA 6340.00 AFA
TOTAL DIVERSION:						6340.00 AFA

Water Source: SUCCOR CREEK

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion: T03S R05W S07

NENE

OWYHEE County

Pou County:

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
L57-07153

Conditions of Approval:

- 18A - The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
- 004 - The issuance of this right does not grant any right-of-way or easement across the land of another.

Remarks: GEN P/U WITHIN LANDS OF SUCCOR CK. WTR. CONTROL DIST.
P/U IN OREGON.
RES. LOCATED IN NE 1/4, S7, T3S, R5W.

Dates: App. Received: Priority Date: 11/24/1975
Proof Due Date: 11/01/1983 Proof Made Date: 10/09/1976
Exam Made Date: 08/20/1987 Exam Sent to S.O.: 10/25/1991
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 09/22/87 05/01/88 CONVERT 08/01/89 CURTIS 10/25/91 TAYLOR

RECEIVED

APR 20 2000

Department of Water Resources

2000 APR 19 AM 09:13
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	ORDER SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 57-07153

Please be advised that Special Master THOMAS R CUSHMAN
has set a Status Conference in the above subcase(s)
as follows:

THURSDAY, JULY 13, 2000 at 03:00 PM

FEDERAL BUILDING
BORAH POST OFFICE
CORNER OF 8TH & BANNOCK
BOISE, ID

IT IS SO ORDERED.

Dated: APRIL 19, 2000

/S/ THOMAS R CUSHMAN
Special Master
Snake River Basin Adjudication

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 4/19/00

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING STATUS CONFERENCE was mailed on APRIL 19, 2000, with sufficient first-class postage to the following:

SUCCOR CREEK DISTRICT IMPRVMT

Represented by:

CLIFF S. BENTZ

89 SW 3RD AVE

PO BOX S

ONTARIO, OR 97914

Phone: 503-452-3209

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

SUCCOR CREEK DISTRICT IMPROVEM

ROCKVILLE RT

JORDAN VALLEY, OR 97910

AJ0749NP
No. R57-07153

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/24/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUCCOR CREEK DISTRICT IMPROVEMENT CO ROCKVILLE RT JORDAN VALLEY OR 97910	11/24/1975	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01-01 12-31 05-01 10-01		6340.00 AFA 6340.00 AFA
TOTAL DIVERSION:						6340.00 AFA

Water Source: SUCCOR CREEK

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion: T03S R05W S07

NENE

OWYHEE County

POU County:

Other Rights: 57-04002

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Remarks: POU PLACE OF USE INCLUDES THE IRRIGATION OF 2258 ACRES WITHIN THE
STATE OF OREGON.

Dates: Exam Made Date: Verified Date: 09/24/1996 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/28/1992 User-ID: MCCARTHY Subject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE INFORMATION WAS ADDED THIS DATE.

Audit: 09/24/96 MSCHULTE

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

DATE: SEP-24-1996

PAGE: A-1

RIGHTS FROM: SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-07153

NAME AND ADDRESS: SUCCOR CREEK DISTRICT IMPROVEMENT CO
ROCKVILLE RT
JORDAN VALLEY OR 97910

SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 6340.0 AFY

PRIORITY DATE: 11/24/1975

POINT OF DIVERSION: T03S R05W S07 NENE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	6340.0 AFY
	IRRIGATION FROM STORAGE	<u>Irrigation Season</u>	6340.0 AFY
		<u>03/01 10/01</u>	

PLACE OF USE:

PLACE OF USE INCLUDES THE IRRIGATION OF 2258 ACRES WITHIN THE
STATE OF OREGON.

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.
~~PLACE OF USE LISTED ON PERMIT INCLUDES THE IRRIGATION OF 2258~~
~~ACRES LOCATED WITHIN THE STATE OF OREGON.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - PERMIT

RECOMMENDED RIGHT WHEN LICENSED.
Do Not Microfilm

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: R57-07153
Date Received: 1/17/1989
Receipt No: C005132
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUCCOR CREEK DIST. IMPROVEMENT CO.
Address: ROCKVILLE RT.
JORDAN VALLEY OR 97910
2. Date of Priority: NOV 24, 1975
3. Source: SUCCOR CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	05W	7	SW	NE	NE		OWYHEE
			SE	NW	NE		OWYHEE

5. Description of diverting works:
DAM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			6340.00
IRRIGATION FROM STORAGE	05/01	10/01			6340.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 6340.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	06W	14	NW	NW	1	IRR	4.0
			SW	NW	2	IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	06W	14	SE	NW		IRR	9.0
			NE	SW		IRR	18.0
			NW	SW	3	IRR	1.0
						Section Acres	58.0
						Total Acres	58.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
57-04002

14. Remarks:

PLACE OF USE INCLUDES THE IRRIGATION OF 2531.3 ACRES WITHIN THE STATE OF OREGON.

USE OF THIS RIGHT WITH RIGHT NO. 57-04002 FOR ONLY THE IRRIGATED ACRES IN IDAHO IS LIMITED TO A COMBINED CONSUMPTIVE USE VOLUME OF 145 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 58 ACRES IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED
JAN 15 1992

Department of Water Resources

FILE → A57-07153
R57-07153
d.e. done 1-28-92
RMF

CLIFF S. BENTZ
YTURRI, ROSE, BURNHAM, BENTZ
& HELFRICH
P.O. BOX 450
FRUITLAND, IDAHO 83619
(208) 452-3209

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

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 39576

AMENDED
NOTICE OF APPEARANCE

The Sate of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System

MICROFILMED
JUL 20 1994

DESCRIPTIVE SUMMARY

This document contains the Notice of Appearance of Cliff

1 S. Bentz, entering an appearance on behalf of Succor Creek
2 District Improvement Company.
3

4 NOTICE OF APPEARANCE

5 To: Petitioner and its attorney of record:

6 YOU WILL PLEASE TAKE NOTICE that Cliff S. Bentz of the
7 firm of Yturri, Rose, Burnham, Bentz and Helfrich hereby enters
8 the appearance of said firm as attorneys of record for Succor
9 Creek District Improvement Company in the above entitled
10 action.

11 DATED this 14th day of January, 1992.

12 YTURRI, ROSE, BURNHAM, BENTZ
13 & HELFRICH

14 
15 _____
16 Cliff S. Bentz
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MICROFILMED
JUL 20 1994

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CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing AMENDED NOTICE OF APPEARANCE was mailed this 14th day of January, 1992 in an envelope with sufficient first-class postage prepaid, thereon to the following:

SEE ATTACHMENT A.



CLIFF S. BENTZ

MICROFILMED
JUL 20 1994

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MICROFILMED
JUL 20 1994

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The Honorable Darla Williamson
Judge, Magistrate Division
Valley County Courthouse
Cascade, ID 83611

Ralph W. Tarr
Department of Interior
18th and "C" Streets, N.W.
Washington, DC 20420

MICROFILMED
JUL 20 1994

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Environment and Natural
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Boise, ID 83724

MICROFILMED
JUL 20 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUCCOR CREEK DISTRICT IMPROVEMENT CO ROCKVILLE RT JORDAN VALLEY OR 97910	11/24/1975	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01-01 12-31 05-01 10-01		6340.0 AFA 6340.0 AFA ----- 6340.0 AFA
TOTAL DIVERSION:						6340.0 AFA

Water Source: SUCCOR CREEK

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion:

T03S R05W S07

NENE

OWYHEE County

POU County:

Other Rights: 57-04002

Conditions of Approval:

- A01 - THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION
- IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION
- OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS
- SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL
- BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
- IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Remarks: PLACE OF USE LISTED ON PERMIT INCLUDES THE IRRIGATION OF 2258
ACRES LOCATED WITHIN THE STATE OF OREGON.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/28/1992 User-ID: MCCARTHYSubject: NOTICE OF APPEARANCE
NOTICE OF APPEARANCE INFORMATION WAS ADDED THIS DATE.

Audit: 07/15/92 SHURTE

MICROFILMED
OCT 07 1992

John - OK
John

INTER-DEPARTMENT MEMO — 1

FROM

DATE 10-21-91

TO

SUBJECT

Recommendation on stor. rts. for use in
Oregon - Permit No. 57-07153.

I spoke with Lynne Krogh-Hamper con-
cerning issuing this license for stor. water
in Idaho to be used on Oregon lands &
she said that Idaho Code Sections 42-401
thru 42-407 talk about this & in particular
42-404 is about issuing a license. She
said that we are to issue the water right
for the total storage on both stor. for irrig.
& irrig. from storage even though it is
for lands in Idaho & Oregon. Otherwise,
we would be denying the Oregon water users
the right to appropriate Idaho water. If
only the Idaho lands could divert from
storage, then the Oregon users would
be denied use of the stored water, whether
they have a right for it or not. She said
we cannot deny them the right & especially
after the permit is approved. So, I guess
the water right for irrig. & from irrig.?

MICROFILMED
OCT 27 1992

COPY FROM PERMIT FILES
Exam sent to S.O. on 10/24/91
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 57-7153

1. Owner: Succor Creek Water Control District Phone No. (503) 339-3026
Current Address: Rockville Route, Jordan Valley, OR 97910
2. Accompanied by: Bob Davis EXAM. DATE: 8-20-87
Address: P.O. Box 756, Homedale, ID 83628 Phone No. (503) 339-3608
Relationship to Permit Holder: Resident
3. Source: Succor Creek tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: place of use is in Oregon - UNKNOWN OVERLAP
P/U IN IDAHO OVERLAPS WITH 57-04002 (LIVE-FLOW RIGHT) ☐ Copies Attached
NO STRIPLAW RT. DIVERGENCE
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION *SEE MAP ATTACHED*

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).
- ☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

MICROFILMED
OCT 07 1992

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system has a 104' high, 380' crest earth dam across Succor Creek. The reservoir formed has a surface area of 190 acres and a drainage ~~to~~ area of 51.6 square miles. Water is released through a 30" concrete pipe with a sliding control gate on the upstream side of the dam. The gate is opened

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	NA				

****Code to correspond with No. on map and aerial photo***

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

TOTAL IN DISTRICT	2,589.3
-------------------	---------

MICROFILMED
OCT 07 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

A reservoir level gauge is located on the west side of the reservoir a short distance above the dam. The high water mark was at "920" The mark for the minimum pool size is "830"

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

- Measured Method: REQUEST REMOVAL OF MEAS. DEVICE - UNABLE TO MEASURE AT INFLOW, SEE CARTER'S ATTACHED MEMO DATED 11-8-90 - NO M.O. PUT AT OUTFLOW + WORKS ACTUALLY SERVE NO PURPOSE SINCE THIS IS A STORAGE RIGHT, WHICH ACTUALLY SUPPLEMENTS THE KINCAID RTS. DIVERTED DOWNSTREAM ON SUGON CREEK RUN. THE LATE SUMMER MONTHS WHEN SUGON C. IS ONLY.
- Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{N/A - STORAGE RT.}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

and closed by a worm gear driven by an air-cooled gasoline engine, ^{connected} to 2" shaft enclosed in a 3" pipe runs from the control gate to a 6'9" by 6'9" block building on the top of the dam that houses the gasoline engine.

The BLM requires 400 acre feet minimum pool size.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation from storage	5-1	10-1		6340
Storage for irrigation	1-1	12-31		6340
Totals:				6340

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☒ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Carter Fritschle

Signature

[Signature]

Certification Date

Field Report Preparation Date

8-20-87

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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LAND LIST

Succor Creek.

Town- ship	Ran- ge	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
Idaho						FOUND	4.7	4.2	9	18	1		0					58	
035	6W	14				PER FIELD EXAM	4.1	4.2	6	7.7	4		2					70	
						FOR A57-04002													
regon -	ALL	LANDS DOUBLE CHECKED FOR CORRECT $\frac{1}{4}$ $\frac{1}{4}$ DESC. PER ATTACHED MAP. JK																	
0275	47E	31									4.3	4.4						16.3	
275	46E	36	2.4	5.5	1.7	12.9								1.3				23.8	
		25		16.8	1.8						1.9				3.9	13.3		37.7	
		24			10.6			3.4		18.6					20.6	16.1		69.3	
		14															2.7	2.7	
		13						5.1			3.5	16.4						25.0	
		12									6.3	10.7						17.0	
		11		4.7	4.3	12.1								5.5				26.6	
265	46E	35					6.5	0.6		7.0	5.2			0.4				19.7	
		27	6.8			4.3									2.8			13.9	
		26									4.2	8.3	1.1					13.6	
		23						10.3	2.6									12.9	
		22	14.7			20.2									24.8		14.5	74.2	
		17					6.7	3.8										10.5	
		15	31.3			26.0									18.7		9.1	85.1	
		14						30.3	11.0		5.6	15.0						61.9	
		11						11.9	14.1		30.9	35.9						92.8	
		10	33.6	16.6	9.7	25.9									28.5	2.9	0.2	26.2	143.6
		9						2.6	5.9		11.8							20.3	
		8	33.8	0.7	27.0	37.7				4.3				22.6	7.8	26.3		160.2	
		5				9.7									16.9		27.4	54.0	
		4	4.1					4.4	36.0		26.8	15.5						136.3	
		3			16.3		4.3	4.4	32.6	15.3	26.6	21.9			19.6	30.7	28.4	28.2	230.7
		2								2.0	24.8	5.2	30.7	40.0					102.7

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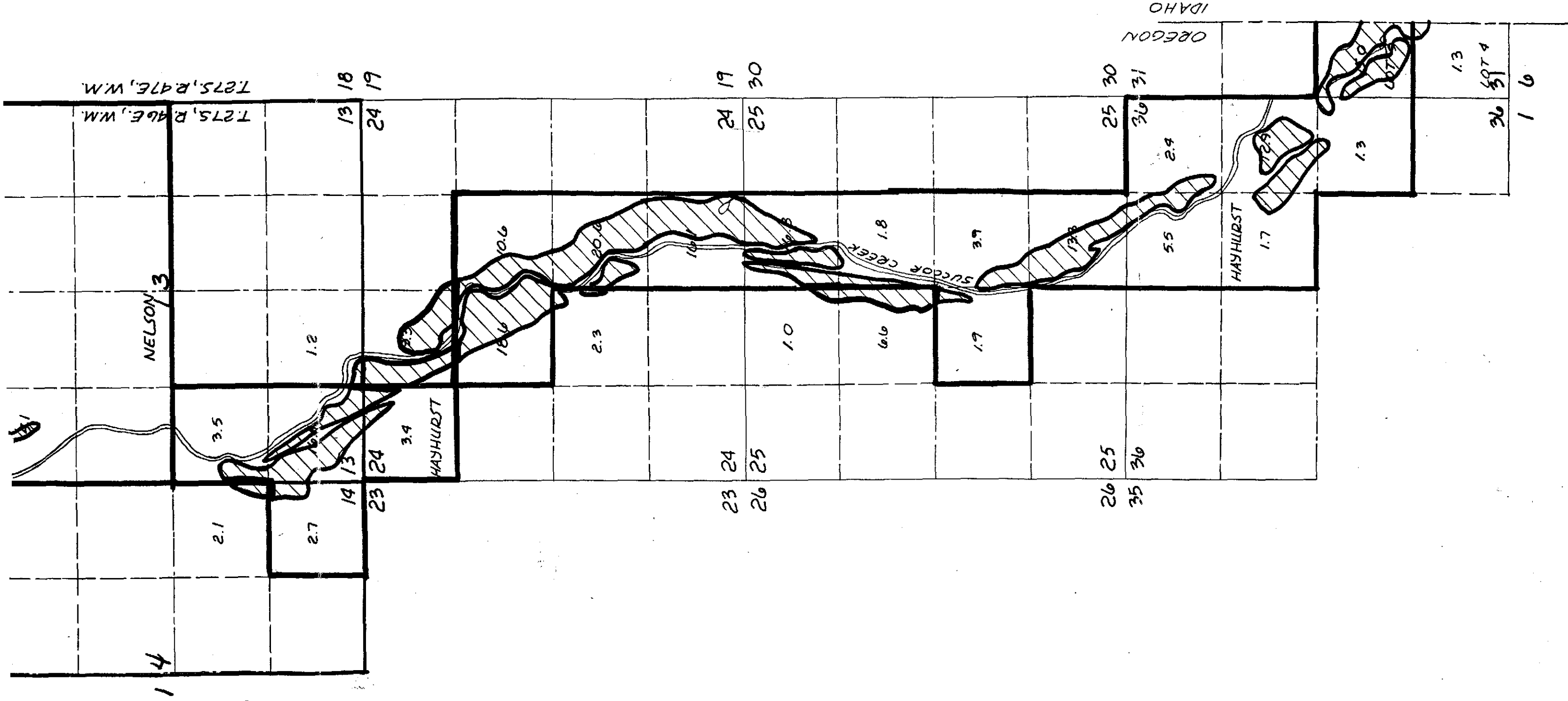
LAND LIST

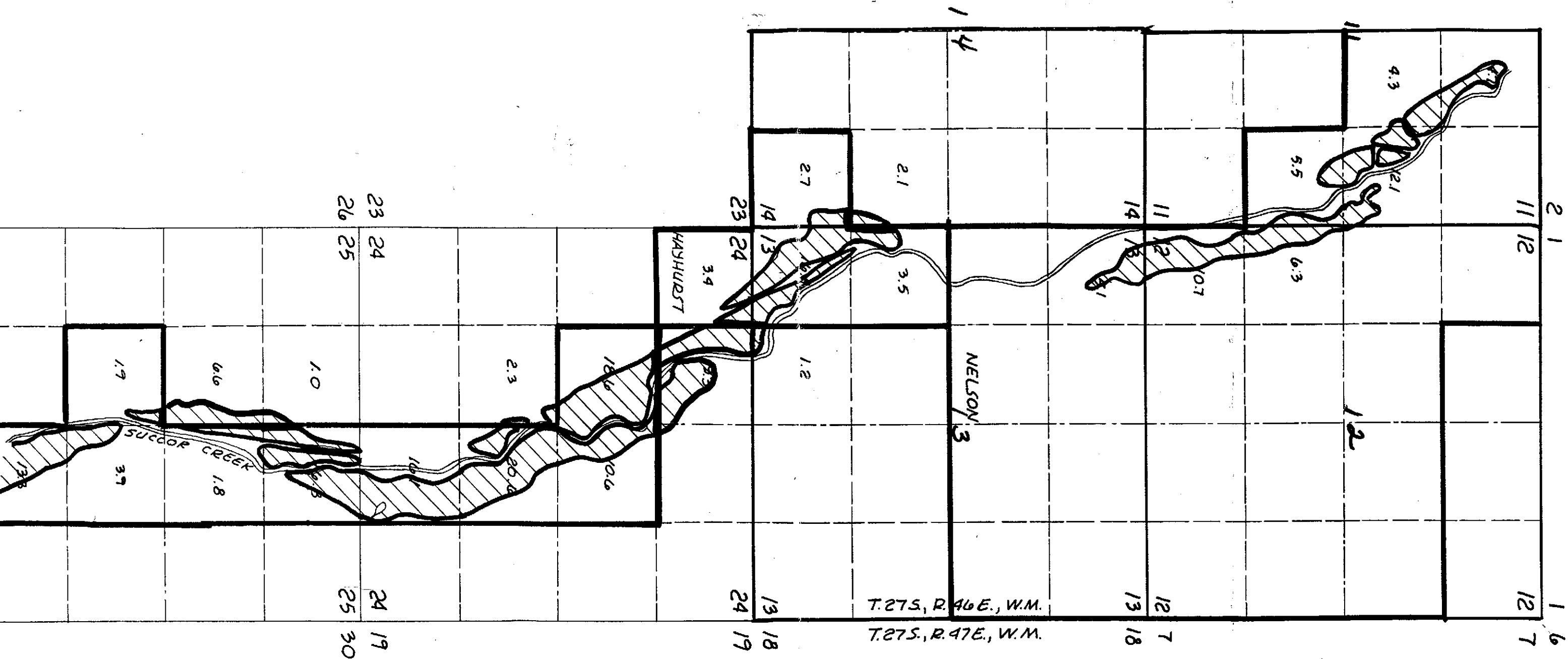
Succor Creek

[illegible]

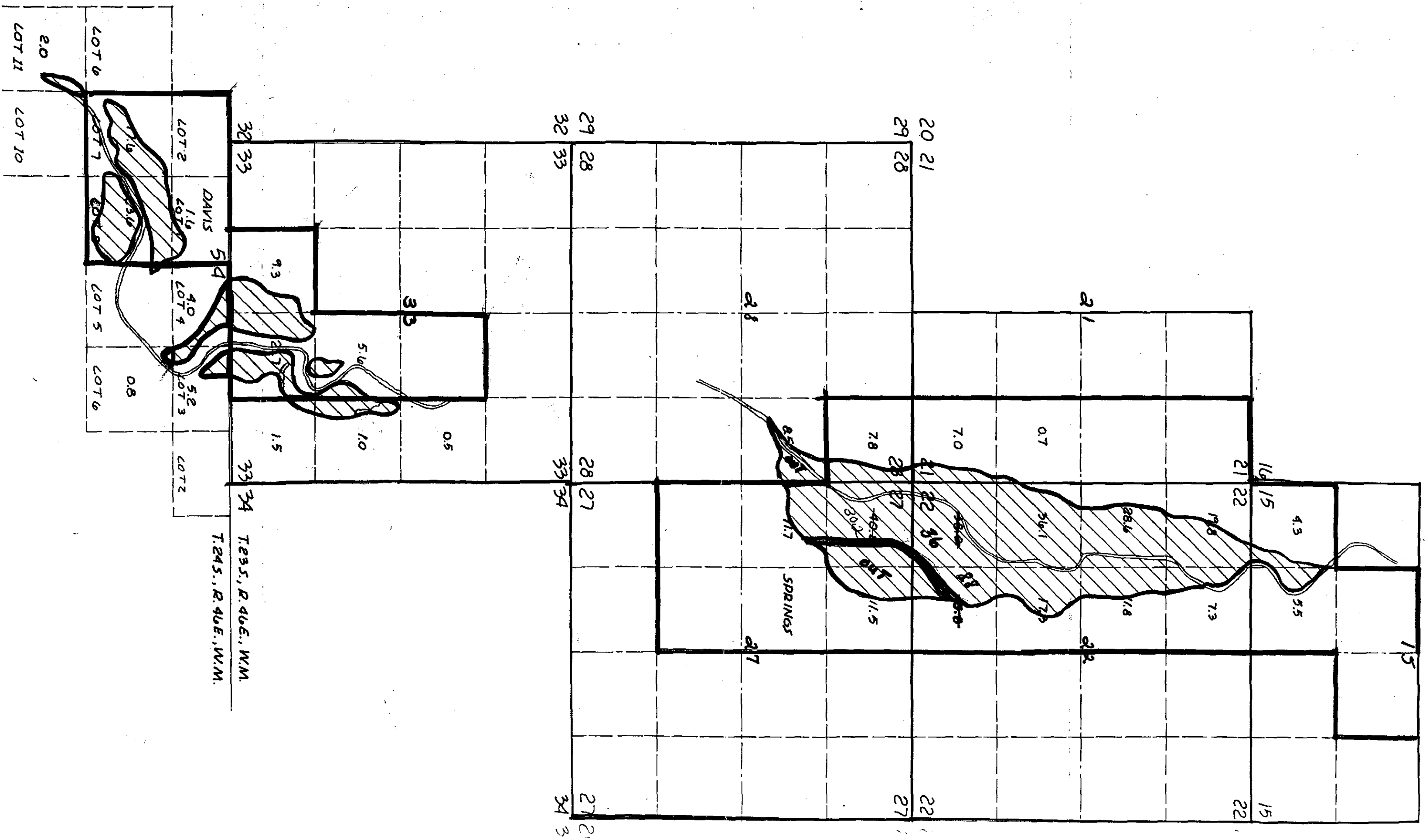


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COPY OF MAP FROM ADT E2A-
FOL 431-04002 SHOWING LOCATION
OF JAHN ALAS A-3000001 57-20713



Looking Nov
east at th
reservoir
area from
the top of
center of
dam.



Looking
Northeast
at the spill-
way and
outlet (low
center) of
dam.



LMED
992

57-7153



Looking
south west
at the
control gate



Facing
~~looking~~
North and
down looking
down at the
control gate

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INDIAN DEPARTMENT OF WATER RESOURCES
INVENTORY WORKSHEET - DAMS

FORM NO. 1

Identification No. D 57 - 7153
Name of Dam TEXAS BASIN
County OWYHEE
River or Stream SUCCOR CREEK
Purpose I (Specify if other)
Location Sec 07 Township 03S Range 05W SE 1/4 NE 1/4 - MAP 25 TR 25 COMB PEAK

FORM NO. 2

Name of Owner SUCCOR CK. DIST. IMPROVEMENT CO.
Owner's Phone No. 339 - 3026 AREA CODE 503 (Alternate phone no.)
Address Line 1 C/O MARY ELLEN ALLISON SEC

FORM NO. 3

Address Line 2 ROCKVILLE ROUTE
Address Line 3 JORDAN VALLEY OR 97910
City State Zip Code

FORM NO. 4

Type of Dam EARTH (Other dam types)
Storage Capacity (ac-ft) 6,340
Height of Dam (ft) 104.0
Drain. Area (sq. mi.) 51.6
Res. Surface Area (ac) 190
Year Completed 1979 (Date enlarged, reconstructed, etc.)
Crest Elev. (M.S.L.) 4,610
Crest Length (ft) 380 (Dike lengths)
Spillway Type RKCHAN W/ CONCRETE CREST (Auxiliary spillways)
Spillway Depth (ft) 12.0 (Aux. spillway depths)
Spillway Capacity (cfs) 5,600 W/4 FT FREEBOARD
MEETS THE PMF REQUIREMENTS.
Hazard Classification 1
Region 2

FORM NO. 5

Last Inspection 6 89
Approval Expiration 11 91
Overall Condition GD
Capacity (cfs) 5,600
Outlet Type RNF CNP 30IN DIA. PIPE
Outlet Capacity (cfs) 1,164
Problems/Remarks 1 ROBERT DAVIS IS PRESIDENT ADDRESS: BOX 756 HOMEDALE, ID
PHONE: 503-339-3608 8362E

WATER RIGHTS: 57-7153 - PERMIT FOR 6340 AF

9-3-91
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECORD OF INSPECTION OF DAM

Name of dam: TEXAS BASIN DAM Stream: Succor Creek ☐ OffstreamName of owner: Succor Cr. Dist Improvement Location: SEC 7-035-05 WIndividuals accompanying inspector: DUNCAN MCKENIZEReservoir characteristics: Dam height 104 Surface area 190 AC Storage capacity 6340 AC-FtHazard class: HIGH Photographs: yesCONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentType: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	Riprap	ROAD MIX	Rock & EARTH	
Growth	FEW SAGE BRUSH	NONE		
Settlement or cracks	NONE NOTED			
Surface erosion	NONE NOTED			
Debris	NONE NOTED			
Animal burrows	NONE NOTED			
Crest width and slope measurements	2.5:1	26 FT	2:1	

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentLocation: ☐ Left side ☐ Center ☒ Right side ☐ Other _____Description and condition: 30" CONCRETE PIPE THRU DAMGate hoist: ☒ Manual ☐ Electric ☒ Other GAS ENGINEStem: ☐ Inclined from entrance to crest ☐ Vertical on tower at entrance☐ Vertical through dam from crest ☐ Downstream valveEntrance: SUBMERGED Outlet: OKAY - OPENCONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ ExcellentLocation: ☒ Left abutment ☐ Right abutment ☐ Away from dam ☐ Other _____Base width ± 80 Freeboard at crest ± 12 FT Sideslope Steep Channel slope Steep Fetch ± 1 MI.Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toeErosion control present: ROCK CHANNEL w/ CONCRETE CREST Erosion present: SOME ALONG RIGHT CHANNEL BANK & FLOORMaintenance condition: Debris NONE Growth NONE

SEEPAGE:

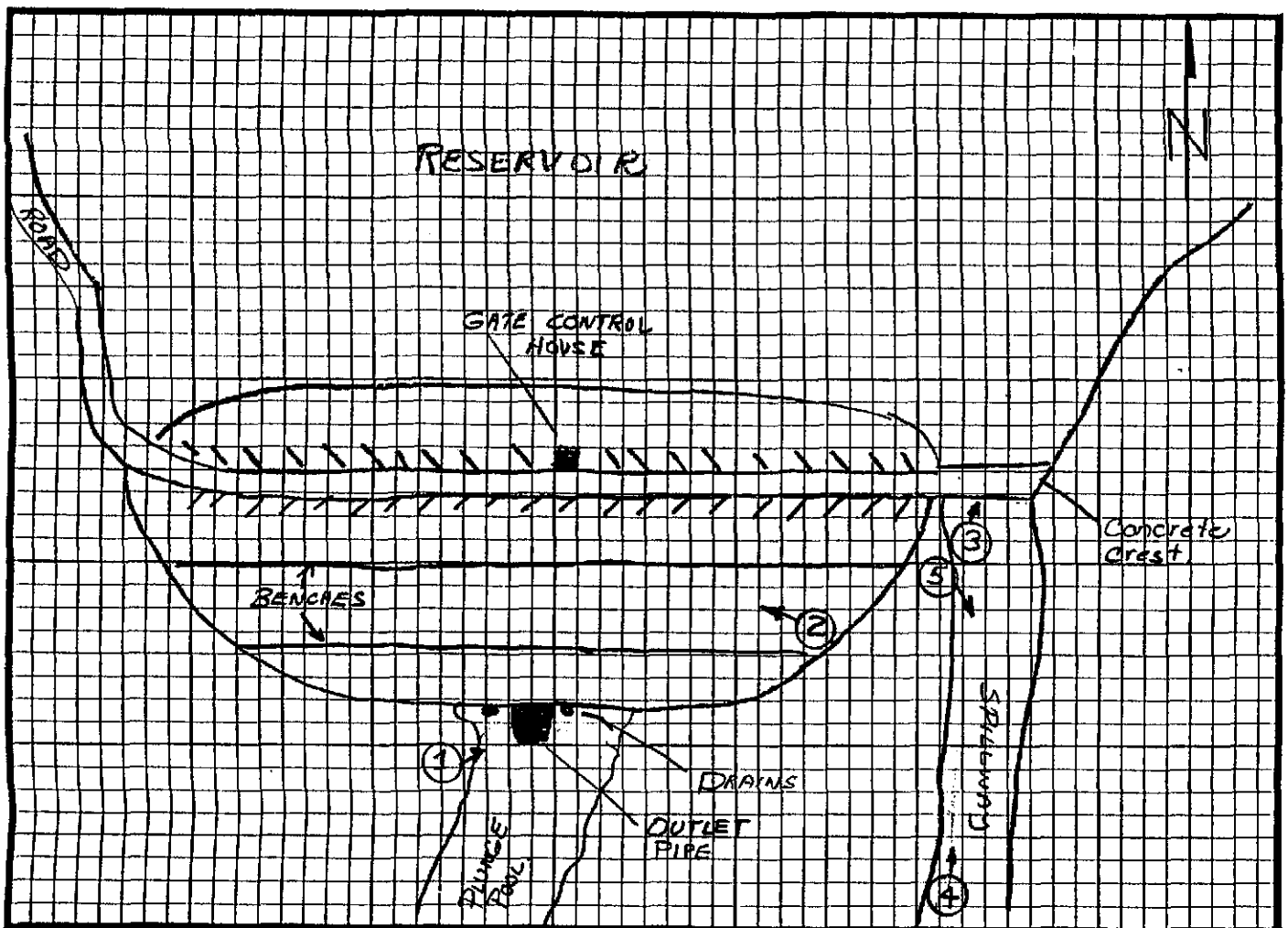
Reservoir level during inspection: FULL, Reservoir appeared to peak 1 1/2 FT ABOVE SI

	TOE AREA	DOWNSTREAM SLOPE	ABUTMENTS	OTHER
Piping of material evident (Est. G.P.M.)	NONE			
Flowing water (Est. G.P.M.)	DISCHARGE FLOW WATER AROUND DRAINS	NONE		
Marshy or standing water	none			
Damp	yes	NONE		
Evident from growth present	GREEN WEEDS	NONE		

GENERAL CONDITION AND DESCRIPTION OF DAM: Good, Dam is well maintained
Reservoir has spilled over spillway earlier. Some erosion along right
side of spillway channel along lower steep slope. Mr. McKenzie
indicated they would closely monitor the spillway channel.
No other problems noted.

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)
None taken.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: ISSUE STORAGE CERTIFICATE FOR A 2 year period.
Maintenance: 1. Monitor Spillway Channel for further erosion, repair
as necessary
2. WATCH SEEPAGE FROM DRAIN OUTLET Pipes.
Keep outlet drains open.

Date: June 12, 1989

Inspected by: John Weston

MEMO

TO: File 57-07153
FROM: Carter Fritschle
DATE: November 8, 1990
RE: Place of use and measuring device requirement

Tom Hanley, the engineer for the Succor Creek Water Control District, was to submit a copy of the map for the place of use for this water right. The map was to be the same as the one he was submitting to the State of Oregon for an equivalent license for this water right in Oregon. To the best of my knowledge this department has not received a map certifying the acreage irrigated.

Also, there is a measuring device requirement on the permit. Because of the inaccessibility of the upper portion of the reservoir, the best location for a measuring device would probably be at the outlet. A measuring device at this location, and a chart for determining the acre feet corresponding to the gauge reading of the reservoir level, would probably be sufficient to protect downstream water users with flow rights.

MAP
SUBMITTED
& ATTACHED

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M E M O R A N D U M

TO: File A57-07153

FROM: Don Shaff

RE: Telephone Conversation, Tim Fuller

DATE: 2/01/1989

Tim Fuller, an employee with the Vale District BLM, called today to discuss the land use activities of Bob Davis, a water user along Succor Creek. Mr. Davis apparently approached BLM recently about correcting the trespass he has made on BLM administered ground to irrigate pasture. Mr. Fuller informed me Mr. Davis is in the process of acquiring Permit No. OR4372 to have the authority to use this ground for this purpose. Mr. Davis is apparently irrigating approximately 20 acres of BLM ground with water diverted from Succor Creek either directly in Oregon or as a result of the Texas Basin Reservoir in Idaho that releases water into Succor Creek for use downstream for the Oregon users.

As the examination proceeds, both for the license and for the adjudication, Mr. Davis may be contacted to show this additional place of use of Succor Creek water. At that time he should be able to provide a copy of the permit to document his authority to use the BLM ground.

Copies placed: Water Rights File 57-07153
Adjudication File A57-07153

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

457-0715 3
Filed 1-16-89
1-2-90 Dianne Smith

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 26, 1989

Mr. Gary Ebert, Attorney at Law
P. O. Box S
Ontario, OR 97914

Owyhee

RE: Snake River Basin Adjudication
A57-07153

Dear Mr. Ebert:

Please find enclosed the following documents:

- 1) A copy of the Notice of Claim to a Water Right filed by Succor Creek District Improvement Company minus the attachment of the district map;
- 2) A copy of the Request for Extension of Time;
- 3) From your files, documents related to the permit for Succor District Improvement Company;
- 4) A copy of the working sheet used to tabulate the claimed irrigated acres for the Company.

Referring to the work sheets, the figures marked with green pen are the acreages from the map that lie outside deeded ground of the district members. At this time, these lands were not included in the district claim. The figures marked in red were the lands of Burgess and Baltzor that may or may not be part of the district. These lands also were not included at this time. The figures on the work sheets with black marks through them were not included in the acreage at this time also. These lands represented the members Miller and Springs according to the individuals here at the office January 16, 1989.

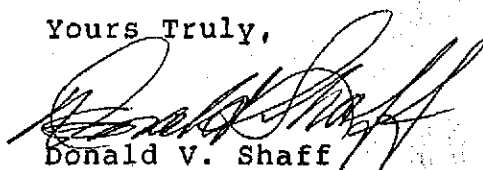
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Mr. Gary Ebert
January 26, 1989
Page 2

The district members present were informed that at a later date the claim of the district may be amended to include additional lands provided the appropriate fees for the lands are paid with the amendment. Apparently these lands will require further discussions with the individual members involved.

Thank you for your assistance in this matter. If I may be of any further help, please feel free to contact me.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures
CC: Mary Ellen Allison

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STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

BOISE 83720

DEPARTMENT OF WATER RESOURCES
STATEHOUSE, BOISE, IDAHO 83720
TELEPHONE: (208) 334-4448

JIM JONES
ATTORNEY GENERAL

January 3, 1989

Mr. Gary Ebert
P.O. Box S
Ontario, OR 97914

Re: Succor Creek Filings for the Snake River Basin
Adjudication (SRBA) in Idaho

Dear Gary:

After our conversation this morning I thought it might be well to reiterate Water Resources' instructions to your clients. Dena Billups, Legal Secretary for the Adjudication Bureau, has sent you under separate cover a request for extension form for the SRBA.

We had discussed that on this one extension form all of the names of the water users with direct flow rights out of Succor Creek could be listed. The basis for the request for the extension would be that the procedure for the district court in Idaho to exercise jurisdiction over water rights out of state, but within the Snake Basin, has not been developed. When that procedure is developed, all the individuals listed on the request for extension would file their individual claims as a group with their filing fees. These claims would be submitted with the \$50 flat filing fee per claim.

During the time that the jurisdictional procedure is being established within the SRBA, these individual users on Succor Creek can still come to Water Resources in Boise to fill out their claim forms. Instead of filing the completed claim forms with Water Resources, the claim forms could be returned to you in Oregon to be held until such time as they are submitted as a group under the procedure that is to be developed by the court.

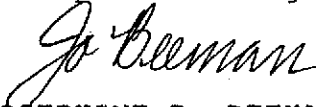
The motion which I am drafting regarding a procedure for exercising jurisdiction over the out-of-state rights is being circulated among the attorneys and other interested entities

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Mr. Gary Ebert
Page 2
January 3, 1988

who attend the steering committee meetings in Twin Falls. I called the Attorney General's Office this morning and had your name and address added to the list of individuals who will be circulated information regarding the steering committee meetings. This will ensure that you will receive the information regarding the jurisdiction over out-of-state water rights. I am concerned that you be kept informed in the event that you may want to have a voice in this matter when it goes to the court or during the preliminary discussions.

Best personal regards,


JOSEPHINE P. BEEMAN
Deputy Attorney General
Department of Water Resources

JPB:dc

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Identification No. _____

Application No. 57-7153

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Succor Creek Water Control District
post office address Rockville Route, Marsing, Idaho 83639
2. Source of water supply Succor Creek which is a tributary of Snake River
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7 Township 3 S.
Range 5 W. B.M. Owyllee County; additional points of diversion if any: _____
(Dam is located in NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 7)
- b. If water is not consumed, it will be discharged into Succor Creek at a point in SE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 33 Township 23S Range 46E B.M. Willamette Meridian
4. Water will be used for the following purposes:
Amount 6340 for Irrigation purpose from May 1 to Oct 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount 6340 for Storage for purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) irrigation
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. 6340 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 30-inch RC conduit
beneath dam
- b. Height of storage dam 115 feet, active reservoir capacity 6340 acre feet; total reservoir capacity 6340 acre feet, materials used in storage dam: earth, gravel, rockfill.
Period of year during which storage will occur Nov 1 to June 1 inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years.
b. Estimated construction cost is \$ 612,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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RANGE	TWP	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
46 E, WM	23 S	33				0.5					0.3			17.3	7.0	4.5	23.5	1.9	55.0
46 E, WM	24 S	4					7.9	6.9											14.8
		5	19.5	7.6															27.1
46 E, WM	25 S	17												0.7		3.2	18.4		22.3
		20		20.7	9.9		0.7								7.1	16.3	31.3	20.6	106.6
		28						2.9	3.7				7.9						14.5
		29	28.4	32.5	26.6	28.3									34.9	24.8	11.6	36.9	224.0
		32	16.1																16.1
		33			25.9	3.5	18.0	31.7	25.0	29.4	40.0	25.3	31.9	20.8	36.2	30.0	29.3	33.7	380.7
		34										6.3	25.2	1.4					32.9
46 E, WM	26 S	2										5.2	30.7						35.9
		3			16.3		13.7	30.8	7.2	26.6	21.9			0.4	19.6	30.7	28.4	28.2	223.8
		4	17.8	1.0			1.6	30.3	33.0			25.4	21.7						130.8
		5	0.6			9.5									17.4			28.6	56.1
		8	38.7	0.7	24.1	36.6					0.9			17.6	18.9	26.9	8.3	0.7	173.4
		9						3.8	3.4			8.3	0.6						16.1
		10	33.6	16.6	10.3	30.7									29.1	10.3	8.8	27.3	166.7
		11						11.9	14.1			28.9	35.0						89.9
		14						21.9	8.7			3.6							34.2
		15	28.9			19.1									16.2			12.4	76.6
		17					9.0	9.4	8.0										26.4
		22	11.4			20.9									21.8			18.1	72.2
		23							0.9										0.9
		26										4.2	8.3	1.1					13.6
		27	9.4			4.2									2.8				16.4
		35					6.5	0.6		7.0	5.2			0.4					19.7

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OCT 6 7 1992

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Scale: 2 inches equal 1 mile

See accompanying map, Sheet 2 of Texas Basin Dam
Maps and Construction Plans.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public
waters of the State of Idaho as herein set forth.

SUCKER CREEK WATER CONTROL DISTRICT

By

Andrew Grubbs
(Applicant)
President

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OCT 07 1992

Proposed priority: 11/24/1975

Received by DRB Date 11/17/75 Time 3:30 pm ^{17 27 15}
Preliminary check by CLH Fee \$ 1102.00 ^{435.00 Water Right}
Received by CLH Date 11-24-75 # 1319 ^{767 00 Dam Fee}
Publication prepared by CLH Date 11-24-75 ^{18780 shot. Bull G. in with}
Published in Cushyee Nugget
Publication dates Dec. 4 & 11
Publication approved CLH Date 12-16-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JHJ SD

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 57-7153, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 78.
- c. Other: (1) Measuring devices of a type approved by the Director shall be permanently installed and maintained to measure the inflow and outflow of the reservoir.
(2) The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

Witness my hand this 9 day of October, 19 76.

[Signature]
Director

MICROFILMED
OCT 07 1992