

**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

) Subcase No.: 45-7064
) (Uncontested Overlap)
)
)
)
)
)
)

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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Mike Cranney 11-2-05
for Cranney Land Company, LLC Date

OBJECTOR:

Roger D. Ling 10/25/05
Roger D. Ling Date
Attorney for Howard R. Adams & Sons, Inc.

IDWR CONCURRENCE:

Douglas Jones 9/9/05
Douglas Jones Date
Engineer, Technical 1

IDWR CONCURRENCE:

Chris Bromley 9/8/05
Chris Bromley Date
Attorney for IDWR

08/17/2005

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

RIGHT NUMBER: 45-7064

NAME AND ADDRESS: CRANNEY LAND COMPANY LLC
1310 S 600 W
OAKLEY ID 83346

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.440 CFS
1,088.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF ~~30.13~~ 29.29 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 10,018.4 AF. COMBINED RIGHT NOS.: 45-2413,
45-2431, 45-2432, 45-2594B, 45-4045, 45-4107, 45-7055, 45-7064,
45-7150, 45-7242, 45-7307, & 45-13550.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.68 CFS. COMBINED RIGHT NOS.: 45-7064,
45-7242, & 45-7307.

PRIORITY DATE: 05/14/1970

POINT OF
DIVERSION: T12S R21E S36 SENESE Within CASSIA County
T12S R22E S19 SWNNW Lot 1 Within CASSIA County
T12S R22E S20 SWNNW Within CASSIA County
T12S R22E S32 SESWNE Within CASSIA County
T12S R22E S32 NWNWSW Within CASSIA County
T12S R22E S32 NWNWSW Within CASSIA County
T13S R21E S1 NENENE Lot 1 Within CASSIA County

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TWO POINTS OF DIVERSION LOCATED IN T12S, R22E, S32, NWNWSW.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/15	5.440 CFS 1,088.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY
CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS
OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER 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.

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R21E S36	NESW	34.0	T12S R21E S36	NWSW	32.0
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08/17/2005

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

T12S R21E S36	SWSW	32.0	T12S R21E S36	SESW	34.0
T12S R21E S36	NESE	38.0	T12S R21E S36	NWSE	34.0
T12S R21E S36	SWSE	32.0	T12S R21E S36	SESE	36.0
T12S R22E S17	NENE	39.0	T12S R22E S17	NWNE	39.0
T12S R22E S17	SWNE	40.0	T12S R22E S17	SENE	40.0
T12S R22E S17	NENW	39.0	T12S R22E S17	NWNW	38.0
T12S R22E S17	SWNW	39.0	T12S R22E S17	SENW	40.0
T12S R22E S17	NESW	40.0	T12S R22E S17	NWSW	39.0
T12S R22E S17	SWSW	39.0	T12S R22E S17	SESW	40.0
T12S R22E S17	NESE	40.0	T12S R22E S17	NWSE	40.0
T12S R22E S17	SWSE	40.0	T12S R22E S17	SESE	36.0
T12S R22E S19	NENE	40.0	T12S R22E S19	NWNE	40.0
T12S R22E S19	SWNE	40.0	T12S R22E S19	SENE	39.0
T12S R22E S19	NENW	40.0	T12S R22E S19 Lot 1	NWNW	40.0
T12S R22E S19	NESE	39.0	T12S R22E S19	NWSE	40.0
T12S R22E S19	SWSE	33.0	T12S R22E S19	SESE	33.0
T12S R22E S20	NENW	40.0	T12S R22E S20	NWNW	39.0
T12S R22E S20	SWNW	39.0	T12S R22E S20	SENW	40.0
T12S R22E S20	NESW	40.0	T12S R22E S20	NWSW	39.0
T12S R22E S20	SWSW	39.0	T12S R22E S20	SESW	39.0
T12S R22E S28	NWNW	11.0	T12S R22E S28	SWNW	33.0
T12S R22E S28	NESW	33.0	T12S R22E S28	NWSW	39.0
T12S R22E S28	SWSW	39.0	T12S R22E S28	SESW	39.0
T12S R22E S29	NENE	39.0	T12S R22E S29	NWNE	27.0
T12S R22E S29	SWNE	35.0	T12S R22E S29	SENE	40.0
T12S R22E S29	NENW	40.0	T12S R22E S29	NWNW	40.0
T12S R22E S29	SWNW	40.0	T12S R22E S29	SENW	40.0
T12S R22E S29	NESW	40.0	T12S R22E S29	NWSW	40.0
T12S R22E S29	SWSW	39.0	T12S R22E S29	SESW	39.0
T12S R22E S29	NESE	39.0	T12S R22E S29	NWSE	34.0
T12S R22E S29	SWSE	33.0	T12S R22E S29	SESE	38.0
T12S R22E S30	NESE	37.0	T12S R22E S30	NWSE	39.0
T12S R22E S30	SWSE	39.0	T12S R22E S30	SESE	34.0
T12S R22E S31	NENE	30.0	T12S R22E S31	NWNE	33.0
T12S R22E S31	SWNE	40.0	T12S R22E S31	SENE	37.0
T12S R22E S31	NENW	39.0	T12S R22E S31	SENW	40.0
T12S R22E S31 Lot 3	NWSW	41.0	T12S R22E S31 Lot 4	SWSW	40.0
T12S R22E S32	NENE	38.0	T12S R22E S32	NWNE	33.0
T12S R22E S32	SWNE	34.0	T12S R22E S32	SENE	38.0

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08/17/2005

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

T12S R22E S32	NENW	39.0	T12S R22E S32	NWNW	31.0
T12S R22E S32	SWNW	36.0	T12S R22E S32	SENW	38.0
T12S R22E S33	NENW	39.0	T12S R22E S33	NWNW	39.0
T12S R22E S33	SWNW	39.0	T12S R22E S33	SENW	39.0
T13S R21E S01 Lot 1	NENE	40.0	T13S R21E S01 Lot 2	NWNE	40.0
T13S R21E S01	SWNE	39.0	T13S R21E S01	SENE	39.0
T13S R21E S01 Lot 3	NENW	40.0	T13S R21E S01 Lot 4	NWNW	41.0
T13S R21E S01	SWNW	39.0	T13S R21E S01	SENW	39.0

3605 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4235 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-425D, 45-433, 45-514A, 45-516, 45-2413, 45-2431, 45-2432, 45-2594B, 45-4045, 45-4107, 45-7055, 45-7064, 45-7150, 45-7242, 45-7307, 45-7355, 45-13549, 45-13550.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 272 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3605 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2413, 45-2431, 45-2432, 45-2594B, 45-4045, 45-4107, 45-7055, 45-7064, 45-7150, 45-7242, 45-7307, & 45-13550.



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

RIGHT NO. 45-13550 IS AN EXPANSION OF THE FOLLOWING RIGHT NOS. PURSUANT TO SECTION 42-1416B, IDAHO CODE. COMBINED RIGHTS: 45-2413, 45-2431, 45-2432, 45-2594B, 45-4045, 45-4107, 45-7055, 45-7064, 45-7150, 45-7242, & 45-7307.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

CERTIFICATE OF SERVICE

I certify that on November 3, 2005, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

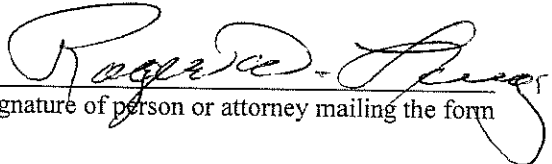
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Roger D. Ling
Ling, Robinson & Walker
P.O. Box 396
Rupert, ID 83350

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Cranney Land Co.
1310 S 600 W
Oakley, ID 83346

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form