

205 SEP 20 07 11 43
FEDERAL DISTRICT OF THE

STANDARD FORM 5

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

RIGHT NUMBER: 45-674

NAME AND ADDRESS:

MANNING RANCHES INC
2233 BIRCH CREEK RD
OAKLEY ID 83346

SOURCE:

Source:
MILL CREEK

Tributary:

SINKS

QUANTITY:

0.800 CFS
0.000 AFY

PRIORITY DATE: 07/01/1882

POINT OF DIVERSION:

T13S R22E S36 NWNESE
Within CASSIA County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 11/15	0.800 CFS

PLACE OF USE:

IRRIGATION within CASSIA County
T13S R22E S34 NESE 40.0
T13S R22E S34 NWSE 40.0
T13S R22E S34 SWSE 40.0
T13S R22E S34 SESE 40.0

160 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.

Priority of appropriation shall give the better right as among those using the surface and ground waters of Mill Creek, Warm Springs, Spring Creek, Summit Creek, and their tributaries, and rights having the same priority date shall share equally in the available water supply in a manner that will equally apportion all natural channel losses among rights having the same date of priority. For example, if there are seven points of diversion from the natural channel, which have the same 1879 date of priority, and the flow in the stream is equal to one-half of the amount of flow necessary to fully satisfy all of the 1879 priorities at their respective points of diversion, then the diversion rates at each of the seven points of diversion shall be reduced by one-half. A pro rata sharing of the water in the stream shall continue to be enforced among rights of equal 1879 priority until the watermaster shall have determined that water in the stream is inadequate to reach a downstream 1879 point of diversion in a sufficient quantity to be applied to beneficial use. Thereafter, upstream 1879 appropriators who are still able to receive water in a sufficient quantity to be applied to beneficial use shall continue a pro rata sharing of the water in the stream.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

CERTIFICATE OF SERVICE

I certify that on Sept 28, 2006, 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

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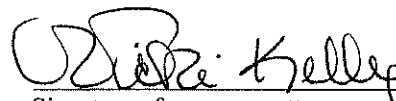
2. Copies to:

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R. C. Stone
Parsons, Smith & Stone, LLP
P.O. Box 910
Burley, ID 83318

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Signature of person or attorney mailing the form