

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. 55-2181

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.

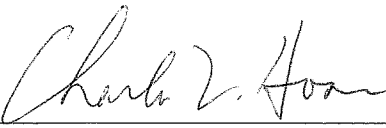
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)

Riddle Ranches Inc

OBJECTOR(s):

Shoshone-Paiute Tribes of the USA

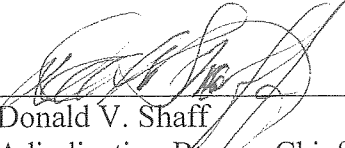
 9/26/07
Charles L. Honsinger Date
Attorney

 9/25/07
Jeanne S Whiteing Date
Attorney

STANDARD FORM 5 – 55-2181

SPY

IDWR Concurrence:


Donald V. Shaff
Adjudication Bureau Chief

9-11-07
Date


Chris M. Bromley
Deputy Attorney General
Attorney for IDWR

9/11/07
Date

09/10/2007

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

RIGHT NUMBER: 55-2181

NAME AND ADDRESS: NANCY JACKSON
24473 RIDDLE RANCH RD
BRUNEAU ID 83604-5122

PETER JACKSON
24473 RIDDLE RANCH RD
BRUNEAU ID 83604-5122

SOURCE: SQUAW CREEK

TRIBUTARY: PAYNE CREEK

POINT OF INJECTION INTO AND POINTS OF REDIVERSION FROM PAYNE CREEK.

QUANTITY: 895.00 AFY

FACILITY VOLUME 1140 AF.

PRIORITY DATE: 11/07/1959

POINT OF
DIVERSION:

T14S R03E S8 NWSE Rediversion Within OWYHEE County
T14S R03E S8 NWSE Injection Within OWYHEE County
T14S R03E S17 SESW Rediversion Within OWYHEE County
T14S R03E S19 NENE Rediversion Within OWYHEE County
T14S R03E S19 SENE Rediversion Within OWYHEE County
T14S R03E S20 NENW Rediversion Within OWYHEE County
T14S R03E S20 NWNW Rediversion Within OWYHEE County
T14S R03E S21 SENW Rediversion Within OWYHEE County
T14S R03E S22 SWNW Rediversion Within OWYHEE County
T14S R03E S22 SENW Within OWYHEE County
T14S R03E S30 NENW Rediversion Within OWYHEE County
T14S R03E S30 NWNW Rediversion Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	5/01 11/01	895.00 AFY
IRRIGATION STORAGE	1/01 12/31	895.00 AFY

PLACE OF USE: IRRIGATION FROM STORAGE in OWYHEE County

T14S R02E S25	NENE	37.00	T14S R02E S25	NWNE	22.00
T14S R02E S25	SWNE	33.00	T14S R02E S25	SENE	40.00
T14S R02E S25	SENE	3.00	T14S R02E S25	NESW	33.00
T14S R02E S25	SWSW	40.00	T14S R02E S25	SESW	40.00
T14S R02E S25	NESE	40.00	T14S R02E S25	NWSE	40.00
T14S R02E S25	SWSE	40.00	T14S R02E S25	SESE	34.00
T14S R02E S36	NENE	3.00	T14S R02E S36	NWNE	36.00
T14S R02E S36	SWNE	32.00	T14S R02E S36	SENE	1.00
T14S R02E S36	NENW	40.00	T14S R02E S36	NWNW	4.00
T14S R02E S36	SWNW	2.00	T14S R02E S36	SENE	31.00
T14S R02E S36	NESW	29.00	T14S R02E S36	NWSW	3.00

T14S R02E S36	SWSW	19.00	T14S R02E S36	SESW	40.00
T14S R02E S36	NESE	1.00	T14S R02E S36	NWSE	28.00
T14S R02E S36	SWSE	28.00	T14S R03E S08	SESW	9.00
T14S R03E S08	NESE	3.00	T14S R03E S08	NWSE	25.00
T14S R03E S08	SWSE	40.00	T14S R03E S08	SESE	17.00
T14S R03E S16	NESW	35.00	T14S R03E S16	NWSW	25.00
T14S R03E S16	SWSW	38.00	T14S R03E S16	SESW	40.00
T14S R03E S17	NENE	27.00	T14S R03E S17	NWNE	40.00
T14S R03E S17	SWNE	40.00	T14S R03E S17	SENE	19.00
T14S R03E S17	NENW	39.00	T14S R03E S17	NWNW	8.00
T14S R03E S17	SWNW	25.00	T14S R03E S17	SENW	40.00
T14S R03E S17	NESW	40.00	T14S R03E S17	NWSW	6.00
T14S R03E S17	SWSW	35.00	T14S R03E S17	SESW	40.00
T14S R03E S17	NESE	5.00	T14S R03E S17	NWSE	40.00
T14S R03E S17	SWSE	21.00	T14S R03E S17	SESE	7.00
T14S R03E S18	SESE	11.00	T14S R03E S19	NENE	40.00
T14S R03E S19	NWNE	13.00	T14S R03E S19	SWNE	34.00
T14S R03E S19	SENE	40.00	T14S R03E S19	NESW	21.00
T14S R03E S19 Lot 4	SWSW	10.00	T14S R03E S19	SESW	38.00
T14S R03E S19	NESE	40.00	T14S R03E S19	NWSE	40.00
T14S R03E S19	SWSE	40.00	T14S R03E S19	SESE	33.00
T14S R03E S20	NENE	6.00	T14S R03E S20	NWNE	40.00
T14S R03E S20	SWNE	40.00	T14S R03E S20	SENE	33.00
T14S R03E S20	NENW	~~40~~ <u>34.66</u>	T14S R03E S20	NWNW	40.00
T14S R03E S20	SWNW	~~40~~ <u>33.14</u>	T14S R03E S20	SENW	~~40~~ <u>35.35</u>
T14S R03E S20	NESW	40.00	T14S R03E S20	NWSW	~~40~~ <u>39.16</u>
T14S R03E S20	SWSW	40.00	T14S R03E S20	SESW	40.00
T14S R03E S20	NESE	40.00	T14S R03E S20	NWSE	40.00
T14S R03E S20	SWSE	40.00	T14S R03E S20	SESE	40.00
T14S R03E S21	SWNE	35.00	T14S R03E S21	SENE	17.00
T14S R03E S21	NENW	38.00	T14S R03E S21	NWNW	34.00
T14S R03E S21	SWNW	40.00	T14S R03E S21	SENW	36.00
T14S R03E S21	NESW	40.00	T14S R03E S21	NWSW	40.00
T14S R03E S21	SWSW	40.00	T14S R03E S21	SESW	37.00
T14S R03E S21	NWSE	10.00	T14S R03E S21	SWSE	1.00
T14S R03E S29	NENE	28.00	T14S R03E S29	NWNE	39.00
T14S R03E S29	SWNE	1.00	T14S R03E S29	NENW	35.00
T14S R03E S29	NWNW	19.00	T14S R03E S29	SENW	7.00
T14S R03E S30	NENE	5.00	T14S R03E S30	NWNE	31.00
T14S R03E S30	SWNE	2.00	T14S R03E S30	NENW	40.00
T14S R03E S30 Lot 1	NWNW	40.00	T14S R03E S30 Lot 2	SWNW	22.00
T14S R03E S30	SENW	7.00			

CE

 Jm
 C. L. H.

~~2966~~ 2948.31 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~3099~~ 3080.31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02032, 55-02063, 55-02129, 55-02169, 55-02175, 55-02210 & 55-13479 - THESE ARE PAYNE CREEK & SQUAW CREEK RIGHTS.
USE OF THIS RIGHT WITH RIGHT NO. 55-02210 IS LIMITED TO THE IRRIGATION OF 406 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

~~IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AND OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.~~

~~RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 51 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 51 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 51 RIGHTS. THE BASIN 51 RIGHTS ARE FROM OTTER CREEK (AKA ALDER CREEK) AND MARYS CREEK.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
SOURCE AKA SQUAW CREEK RESERVOIR.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

CERTIFICATE OF MAILING

I certify that on 9/26/, 2007, 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:

Riddle Ranches Inc
Represented by:
Charles L. Honsinger
455 S Third St
PO Box 2773
Boise ID 83701-2773

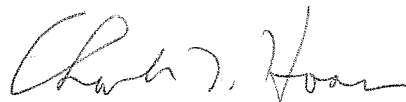
Shoshone-Paiute Tribes
Represented by
Jeanette Wolfley, Special Counsel
Shoshone-Bannock Tribe
202 N Arthur
Pocatello ID 83202

courtesy copy

Shoshone-Paiute Tribes
Jeanne S Whiteing
Whiteing & Smith
1136 Pearl Street, Suite 203
Boulder, CO 80302

U.S. Dept. of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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



Signature of person mailing the form