



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

July 9, 2008

Sara Poch
2628 Cruise Bay Court
Salt Lake City, UT 84121

RE: SRBA Subcase Nos. 22-2128, 22-2281 & 22-10835 (McCulloch)

Dear Ms. Poch:

I am enclosing a Standard Form 5 ("SF5") for each of the above-referenced subcases. The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to resolve water right disputes. Please review the documents, and if they are acceptable, please sign on the indicated signature lines, initial the revised recommendations and return the original documents to me. I will obtain the remaining signatures and file the documents with the SRBA Court.

If you should have any questions or comments, please feel free to contact me at (208) 287-4815.

Sincerely,

A handwritten signature in cursive script that reads "Ray Williams".

Ray Williams
Paralegal

Enclosures

**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. 22-2128
	)	
Case No. 39576	)	
	)	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:

OBJECTOR:



Lois McCulloch Date

Sara Poch Date

IDWR Concurrence:

Joseph Larsen Date
Water Resource Agent

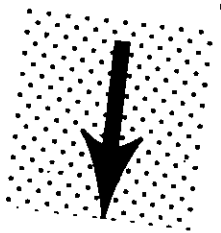
Andrea L. Courtney 7/9/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

INITIAL
HERE

RIGHT NUMBER: 22-2128
NAME AND ADDRESS: LOIS MC CULLOCH
176 S 1ST W
REXBURG ID 83440

AYC



SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: ~~3.000 CFS~~ 3.08 CFS
~~671.00 AFY~~ 689.5 AFY

Right Nos. 22-2128 and 22-10835 are limited to a total combined diversion rate of 3.08 cfs.

PRIORITY DATE: 09/04/1948
POINT OF
DIVERSION: T06N R45E S29 SWNE Within TETON County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/15	3.08 CFS 3.000 CFS 689.5 AFY 671.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S29	NWNE	34.00	T06N R45E S29	SWNE	39.00
T06N R45E S29	NENW	40.00	T06N R45E S29	NWNW	34.00
T06N R45E S29	SWNW	6.70	T06N R45E S29	SENW	38.00
T06N R45E S29	NENE	30.00	T06N R45E S29	SWNE	40.00
T06N R45E S29	NENW	38.00	T06N R45E S29	NWNW	34.00
T06N R45E S29	SWNW	11.00	T06N R45E S29	SENW	39.00
T06N R45E S29	SENE	38.00			

230.0 191.7 ACRES TOTAL

Right Nos. 22-2128 and 22-2281 are limited to the irrigation of a combined total of 191.7 acres in a single irrigation season.

Right Nos. 22-2128 and 22-10835 are limited to the irrigation of a combined total of 230.0 acres in a single irrigation season.

This right is limited to the irrigation of 197.0 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

CERTIFICATE OF MAILING

I certify that on _____, 2008, 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:

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

LOIS MC CULLOCH
176 S. 1ST. W.
REXBURG, ID 83440

SARA (MCCULLOCH) POCH
2628 CRUISE BAY COURT
SALT LAKE CITY, UT 84121

Signature of person or attorney mailing the form

**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. 22-2281
	)	
Case No. 39576	)	
	)	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:

OBJECTOR:



Lois McCulloch Date

Sara Poch Date

IDWR Concurrence:

Joseph Larsen Date
Water Resource Agent

Andrea L. Courtney 7/9/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 22-2281

NAME AND ADDRESS: LOIS MC CULLOCH
176 S 1ST W
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: ~~0.330 CFS~~ 1.260 CFS
~~103.00 AFY~~ 399.00 AFY

PRIORITY DATE: 12/02/1966

POINT OF

DIVERSION: T06N R45E S29 SESWNE SWSE Within TETON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

~~0.330 CFS~~

1.260 CFS

~~103.00 AFY~~

399.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S29	NWNE	34.00	T06N R45E S29	SWNE	39.00
T06N R45E S29	NENW	40.00	T06N R45E S29	NWNW	34.00
T06N R45E S29	SWNW	6.70	T06N R45E S29	SENW	38.00
T06N R45E S29	NESW	20.00	T06N R45E S29	NWSE	38.00
T06N R45E S29	SESW	37.00	T06N R45E S29	SWSE	38.00

191.7 ACRES TOTAL

133.0 ACRES TOTAL

~~Right Nos. 22-2128 and 22-2281 are limited to the irrigation of a combined total of 191.7 acres in a single irrigation season.~~

~~This right is limited to the irrigation of 34.47 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.

~~The remainder of this right was forfeited for non-use from 1980 to 1987.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

INITIAL
HERE



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LOIS MC CULLOCH
176 S. 1ST. W.
REXBURG, ID 83440

SARA (MCCULLOCH) POCH
2628 CRUISE BAY COURT
SALT LAKE CITY, UT 84121

Signature of person or attorney mailing the form

**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. 22-10835
	)	
Case No. 39576	)	<i>Previously Disallowed</i>
	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

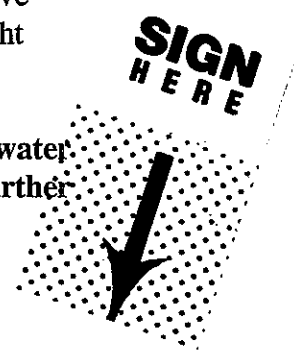
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CLAIMANT:

OBJECTOR:



Lois McCulloch Date

Sara Poch Date

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Joseph Larsen Date
Water Resource Agent

Andrea L. Courtney 7/9/08
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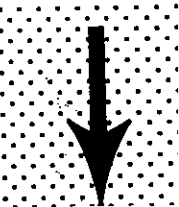
IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

**INITIAL
HERE**

RIGHT NUMBER: 22-10835

NAME AND ADDRESS: LOIS MC CULLOCH
176 S 1ST W
REXBURG ID 83440

AYC



SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.940 CFS
115.500 AFY

Right Nos. 22-2128 and 22-10835 are limited to a total combined diversion rate of 3.08 cfs.

PRIORITY DATE: 06/01/1960

POINT OF DIVERSION:

T06N R45E S29 SESWNE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	1.940 CFS 115.50 AFY

PLACE OF USE: IRRIGATION in TETON County

T06N R45E S29	NENE	30.00	T06N R45E S29	SWNE	40.00
T06N R45E S29	SENE	38.00	T06N R45E S29	NENW	38.00
T06N R45E S29	NWNW	34.00	T06N R45E S29	SWNW	11.00
T06N R45E S29	SENW	39.00			

230 ACRES TOTAL

This right is limited to the irrigation of 33.0 acres within the place of use described above in a single irrigation season.

Right Nos. 22-2128 and 22-10835 are limited to the irrigation of a combined total of 230.0 acres 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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Signature of person or attorney mailing the form