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

DEPARTMENT OF
WATER RESOURCES

2009 JUN 4 AM 10 55

**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. 63-3358A
	)	
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:
Status Corporation of Idaho

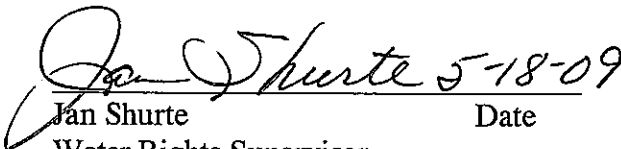
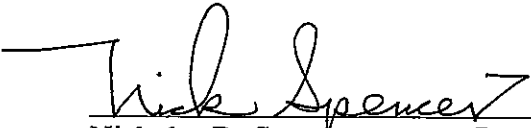
OBJECTOR:
L222-1 ID Summerwind, LLC


By: Kerry Angeles Date: 5-10-09
Title: president


By: Kerry Angeles Date: 5-10-09
Title: manager

STANDARD FORM 5 - 63-3358A

IDWR Concurrence:

 _____ Jan Shurte Water Rights Supervisor	 _____ Nicholas B. Spender Deputy Attorney General Attorney for IDWR
5-18-09 Date	4-27-09 Date

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

RIGHT NUMBER: 63-3358A

NAME AND ADDRESS: STATUS CORPORATION OF IDAHO
1059 E IRON EAGLE DR #155
EAGLE ID 83616-6855

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.940 CFS
535.500 AFY

Rights 63-2946 and 63-3358A when combined shall not exceed a total annual maximum diversion volume of 540.0 af at the field headgate, and the irrigation of 120 acres.

PRIORITY DATE: 12/12/1963

POINT OF DIVERSION:

T04N R04W S32 NWNESE Within CANYON County

T04N R04W S32 NWSESE Within CANYON County

T04N R04W S32 NWNWE Within CANYON County

T04N R04W S32 SESWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 10/31

0.940 CFS
535.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 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 in CANYON County

T04N R04W S32	NESW	35.00	T04N R04W S32	NWSW	27.00
T04N R04W S32	SWSW	28.00	T04N R04W S32	SESW	30.00

120 ACRES TOTAL

This right is limited to the irrigation of 119 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.

SF5 Right No. 63-3358A

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

~~Use of this right is combined with water from Wilder Irrigation District.~~

Right Nos. 63-2946, 63-3033A and 63-9350A are also diverted through points of diversion described above.

Use of this right for the irrigated acres located north of the Mora Canal are combined with water from the Wilder Irrigation District.

h
NBS
Q

CERTIFICATE OF MAILING

I certify that on June 3, 2009, 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:

STATUS CORPORATION OF IDAHO
1059 E. IRON EAGLE DR., #155
EAGLE, ID 83616-6855

L222-1 ID SUMMERWIND LLC
1059 E. IRON EAGLE DR., STE. 155
EAGLE, ID 83616

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

Deserae Kramer

Signature of person or attorney mailing the form