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Department of Water Resources

2001 MAY -9 AM 10:25

DISTRICT COURT-SRBA

DISTRICT OF IDAHO

FILED

TWIN FALLS

COPY

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: 57-07153

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. 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; and 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.

ATTORNEY FOR PLAINTIFF/ OBJECTOR:

Cliff Bentz

Date

Attorney for Succor Creek Improvement District Co.

IDWR CONCURRENCE:

David Tuthill

Adjudication Bureau Chief, IDWR

5/3/01

Date

Candice M. McHugh (As to Form)

Date

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Department of Water Resources

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

05/02/2001

RIGHT NUMBER: 57-7153

NAME AND ADDRESS: SUCCOR CREEK DISTRICT IMPROVEMENT CO
ROCKVILLE RT
JORDAN VALLEY OR 97910

SOURCE: SUCCOR CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 8,340.00 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 4.5 AFA PER ACRE FOR IRRIGATION OF THE LANDS BELOW.

PRIORITY DATE: 11/24/1975

POINT OF DIVERSION:

T03S R05W S7 SWNE Within Owyhee County
T03S R05W S7 NWNE Within Owyhee County

A SINGLE POINT OF DIVERSION IS LOCATED ON THE LINE BETWEEN THE NENE AND THE NWNE T03S, R05W, S7.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	8,340.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	8,340.00 AFY

IRRIGATION FROM STORAGE INDICATES THE TIME OF YEAR WHEN STORED WATER CAN BE RELEASED FOR IRRIGATION PURPOSES FROM THE STORAGE RESERVOIR.

PLACE OF USE:

PLACE OF USE INCLUDES IRRIGATION FROM STORAGE FOR 2550.1 ACRES WITHIN THE STATE OF OREGON.

THE FOLLOWING PLACE OF USE LEGAL DESCRIPTION IS SUPPLIED FOR INFORMATIONAL PURPOSES ONLY:

THE IDAHO DEPARTMENT OF WATER RESOURCES ISSUED A LICENSE FOR WATER RIGHT 57-07153 PURSUANT TO IDAHO CODE §42-401 et seq. IN THAT WATER RIGHT LICENSE, THE PLACE OF USE IN OREGON IS DESCRIBED AS FOLLOWS:

Place of Use Legal Description: IRRIGATION FROM STORAGE

MAIHEUR County, Willamette Meridian

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
23S	46E	21		NENE	7.8						
				SESE	9.1						
		22		SWNW	22.8						
				NESW	15.7						
		27		NWNW	19.7	NWSW	34		SWSW	34.4	
		33		SESW	6.4	SWNW	3.1			SESW	9.1
				NWSE	4.5						
24S		11		NWNE	3.6	SWSE	24.9				
				NENE	10.4	SWNE	3.4		NENE	9.7	
		5	7	SWNE	15.1						
25S		1		NWSW	20	SENE	29.8				
		17		NWSE	0.3						
		20		NWNE	17.3	SWSE	16.8				
						SWNE	11				

SF5 - 57-07153

5mC

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268	28	NWSE	12.1	SWSE	33.2	SESE	22.9			
		NWNW	2.4	SWNW	4.4					
		SWSW	7.3							
	29	NENE	31.6	NWNE	30.3	SWNE	30.2	SENE	33.4	
		NESE	38.2	NWSE	29	SWSE	12	SESE	37.9	
	32	NENE	15.2							
	33	SWNE	25.8							
		NENW	20.6	NWNW	36	SWNW	25.5	SENW	32.2	
		NESW	37.2	NWSW	21	SWSW	34.3	SESW	21.5	
		NESE	33.6	NWSE	36.5	SWSE	31.3	SESE	35.1	
	34	NWSW	4.1	SWSW	23					
	10	NENE	32.9	NWNE	14.3	SWNE	10.9	SENE	33.2	
		NESE	32.4	NWSE	3.7	SESE	24.4			
	11	NWNW	9.6	SWNW	14					
		NWSW	38.5	SWSW	38.5					
	14	NWNW	29.8	SWNW	10.9					
		NWSW	9	SWSW	6.1					
	15	NENE	28.1	SENE	22.3					
		NESE	19.3	SESE	15.4					
	17	NENW	8.7	NWNW	6					
	2	NESW	3.2	NWSW	5.5	SWSW	30.6	SESW	15	
		NESE	29	NWSE	15.3	SWSE	26			
	22	NENE	12.7	SENE	17.5					
	2	SESE	10							
	22	NWSE	23.7	SESE	19.3					
	23	NWNW	12.1	SWNW	6.4					
	26	NWSW	3.5	SWSW	3.8					
	27	NENE	8.9	SENE	2.1					
	NESE	2.2								
3	SWNE	18.9								
	3	NENW	13.8	4	NWNW	33	SWNW	12	SENW	31.2
		NESW	23							
		NESE	19.4	NWSE	32.9	SWSE	23.9	SESE	26.9	
35	NENW	6.2	NWNW	2.6	SESW	10.3				
	NESW	5.3								
4	1	NENE	21.1							
	4	NWNW	38.6	SWNW	36.1					
		NWSW	28.4	SWSW	20.1					
5	1	NENE	2	SENE	10					
		NWSE	17.3	SESE	30.3					
8		NENE	39	SWNE	29.2	SENE	32.5			
		NESW	4.7	SESW	26.3					
		NESE	9.8	NWSE	33.7	SWSE	8.2			
9		NWNW	4.5	SWNW	4.5					
		NWSW	13							
12		NWSW	0.8	SWSW	9.5					
13		NWNW	6.4							
		NWSW	1.2	SWSW	13.9					
14		SESE	4.3							
24		SWNE	4.8							
		NWNW	4.6	SENW	17.3					
		NWSE	18	SWSE	14.2					
25		NWNE	10.9	SWNE	3					
		NESW	1							
		NWSE	2.7	SWSE	10.5					
36		NENE	3.5	NWNE	3.7					

Total Acres: 2350.1

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

SPS - 57-07153

SMC
Dm CSB

CERTIFICATE OF MAILING

I certify that on May 8, 2001, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, 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:

Office of the Attorney General
Peter J. Ampe
Box 83720
Boise, ID 83720-0010

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

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

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

Cliff Bentz
Attorney for Succor Creek District Improvement Co.
89 W. 3rd Ave.
P.O. Box S
Ontario, OR 97914

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

Wick Muncie
Signature of person delivering form