

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| AUG 28 2002                                                                             |              |
| By _____                                                                                | Clerk        |
| _____                                                                                   | Deputy Clerk |

**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(S).: 65-05800B |
|                | ) |                           |
| Case No. 39576 | ) | STANDARD FORM 5           |
|                | ) |                           |
| _____          | ) |                           |

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:**

  
 Dana Hofstetter                      date  
 Attorney for C/C, LLC

**IDWR CONCURRENCE:**

  
 Roxanne Brown                      date  
 Sr. Water Resource Agent

**As to form:**

  
 Garrick L. Baxter                      date  
 Deputy Attorney General

08/28/2002

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

RIGHT NUMBER: 65-5800B

NAME AND ADDRESS: C/C LLC  
3990 HWY 52  
PAYETTE ID 83661

SOURCE: PAYETTE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.77 CFS  
46.9 AFY

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION:

T09N R05W S33 ~~Lot 2~~ NWSE Within PAYETTE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>      |
|-----------------------|----------------------|----------------------|
| STOCKWATER            | 01/01 12/31          | 0.77 CFS<br>46.9 AFY |

JB  
RB

PLACE OF USE: STOCKWATER Within PAYETTE County

T09N R05W S33 ~~Lot 3~~ NESW  
T09N R05W S33 ~~Lot 2~~ NWSE

T09N R05W S33 ~~Lot 7~~ SESW  
T09N R05W S33 ~~Lot 8~~ SWSE

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.

WRT

STOCKWATER USE IS FOR 3500 RANGE CATTLE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decree

## CERTIFICATE OF MAILING

I certify that on August 28, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

### 1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

☐ overnight mail  
☐ regular mail  
☒ hand-delivered  
☐ facsimile

### 2. Copies to:

IDWR Document Repository  
P.O. Box 83720  
Boise, ID 83720-0098

☐ overnight mail  
☐ regular mail  
☒ hand-delivered  
☐ facsimile

C/C, LLC  
3990 Hwy 52  
Payette, ID 83661

☐ overnight mail  
☒ regular mail  
☐ hand-delivered  
☐ facsimile

Dana Hofstetter  
Hofstetter Law Office  
608 W. Franklin  
Boise, ID 83702

☐ overnight mail  
☐ regular mail  
☒ hand-delivered  
☐ facsimile

  
\_\_\_\_\_  
Signature of person mailing this document