

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).: 65-22526

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:**

**IDWR CONCURRENCE:**

Dana Hofstetter 11/20/02  
C/C LLC date  
Dana Hofstetter, Attorney

Roxanne Brown 11/22/02  
Roxanne Brown date  
Sr. Water Resource Agent

Garrick L. Baxter 11/22/02  
Garrick L. Baxter date  
Deputy Attorney General

04/23/2002

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

RIGHT NUMBER: 65-22526

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.12 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 10/20/1977

POINT OF DIVERSION:

T08N R05W S8 NENENE Within PAYETTE County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.12 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County

T08N R05W S08 NENE

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 QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED  
NOV 27 2002

## CERTIFICATE OF MAILING

I certify that on November 26, 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

### 3. Copies to all parties to the subcase:

C/C LLC  
3990 Highway 52  
Payette, ID 83661

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

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

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

*Mark Rew*

Signature of person mailing this document