

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

Case No. 39576

) Subcase No. 27- 2128

)
)
) 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(s)/ OBJECTOR :

Charles R. Horrocks 8-29-06
Charles Horrocks Date

Date

STANDARD FORM 5

OBJECTOR(s):

Date

Date

RESPONDENT(s):

Date

Date

IDWR Concurrence:

Ernie Carlsen 7-27-06
Ernie Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh 9/5/06
Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

02/14/2006

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

RIGHT NUMBER: 27-2128

NAME AND ADDRESS: CHARLES R HORROCKS
9659 N PHILBIN
FOCATELLO ID 83281

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.630 CFS
81.20 AFY

PRIORITY DATE: 08/17/1961

POINT OF
DIVERSION: T03S R35E S4 SWSNW Within BINGHAM County
T03S R35E S4 SESWNW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

0.610 CFS

80.6 AFY

DOMESTIC

01/01 12/31

0.020 CFS

0.6 AFY

PLACE OF USE: INDUSTRIAL Within BINGHAM County

T03S R35E S04 SWNW

DOMESTIC Within BINGHAM County

T03S R35E S04 SWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM
1979 TO 2005.

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

Right includes accomplished change in purpose of use pursuant to Section
42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

SCANNED

MAR 14 2006

SF 5 - 27 - 2128

CERTIFICATE OF MAILING

I certify that on September 5, 2006, 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 *via facsimile*
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Charles Horrocks
9659 N Phulbui
Pocatello ID 83201

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Ray Williams
Signature of person or attorney mailing the form