

FILED
JAN 13 09:10 47

2007 JAN 13 09:10 47

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. 63-17417
Case 39576) STANDARD FORM 5
) STIPULATED ELEMENTS OF A
) WATER RIGHT

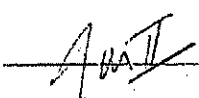
This form is used to report the stipulated elements of one water right acquired under state law and/or a federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to 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.

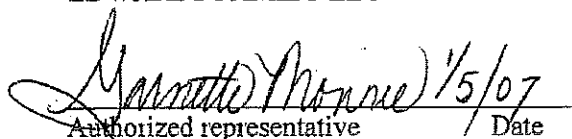
CLAIMANT(s):
JOCK MACGREGOR II

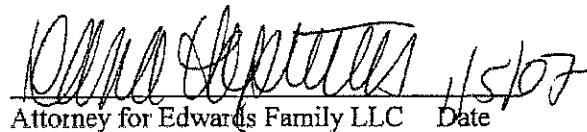
JULIE MACGREGOR

 12/14/06
Date

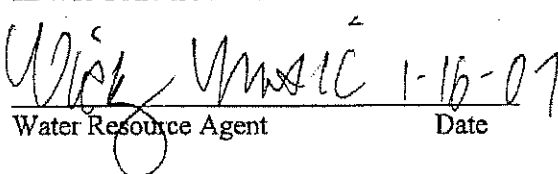
 12/14/06
Date

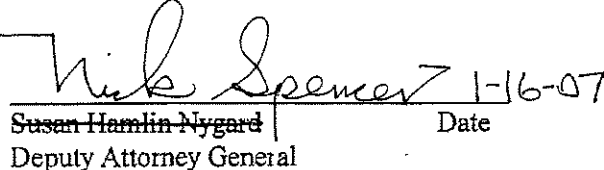
OBJECTOR:
EDWARDS FAMILY LLC

 1/5/07
Authorized representative Date

 1/5/07
Attorney for Edwards Family LLC Date

IDWR Concurrence:

 1-16-07
Water Resource Agent Date

 1-16-07
Susan Hamlin Nygard
Deputy Attorney General Date

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

RIGHT NUMBER: 63-17417

NAME & ADDRESS: JOCK MACGREGOR II
PO BOX 6982
BOISE ID 83707

JULIE MACGREGOR
PO BOX 6982
BOISE ID 83707

SOURCE: GROUND WATER

TRIBUTARY:

This water right does not authorize the diversion of a low temperature geothermal resource or other geothermal resource.

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day

PRIORITY DATE: 01/01/1953

POINT OF DIVERSION: T04N R02E S29 NENW Within ADA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

Domestic use is for 1 home and up to 0.5 acre irrigation

PLACE OF USE: DOMESTIC Within ADA County
T04N R02E S29 NENW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use

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 - Beneficial Use

PARCEL NO R9255000386

CERTIFICATE OF MAILING

I certify that on January 18, 2007, 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:

Jock MacGregor II
Julie MacGregor
PO Box 6982
Boise, ID 83707

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

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



Signature of person mailing the form