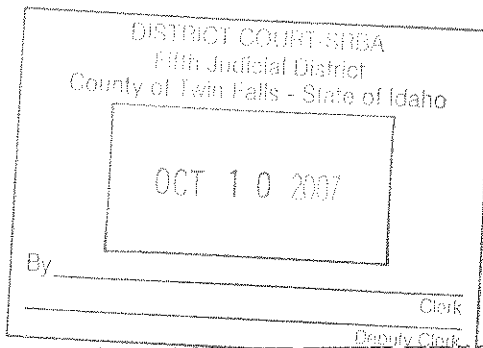




COPY
RECEIVED
OCT 16 2007
DEPARTMENT OF
WATER RESOURCES

**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. 03-4009
	)	previously disallowed
	)	
	)	Standard Form 5
Case No. 39576	)	
	)	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 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 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, which was previously disallowed, 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(s):

George & Cheryl Colwell

Dana Hofsetter 10/4/07
Dana Hofsetter Date
Attorney

IDWR CONCURRENCE:



Steve Clelland

Senior Water Resource Agent

10/5/07
Date

IDWR CONCURRENCE:



Garrick L. Baxter

Deputy Attorney General

10/9/07
Date

CERTIFICATE OF MAILING

I certify that on 10/10, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

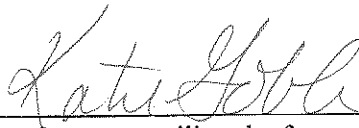
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

Dana L. Hofstetter
608 West Franklin Street
Boise, ID 83702



Signature of person mailing the form

09/17/2007

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

RIGHT NUMBER: 3-4009
NAME AND ADDRESS: C/C LLC
3990 HWY 52
PAYETTE ID 83661

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER
QUANTITY: 1.100 CFS
PRIORITY DATE: 07/01/1954
POINT OF DIVERSION:

T09N R05W S32 NENW Lot 7 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
<u>IRRIGATION</u>	<u>03/01 11/15</u>	<u>1.100 CFS</u>

PLACE OF USE: IRRIGATION in PAYETTE County

<u>T09N R05W S29 Lot 5 NWSW</u>	<u>38.00</u>	<u>T09N R05W S30 Lot 1 SESE</u>	<u>5.00</u>
<u>T09N R05W S31 Lot 2 NENE</u>	<u>15.00</u>	<u>T09N R05W S32 Lot 7 NENW</u>	<u>18.00</u>

76 ACRES TOTAL

Right Nos. 3-2000 and 3-4009 are limited to the irrigation of a combined total of 76 acres in a single irrigation season.

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 - Beneficial Use

[Handwritten signature]
sec
LB

SF 5 - 3-4009 - previously disallowed