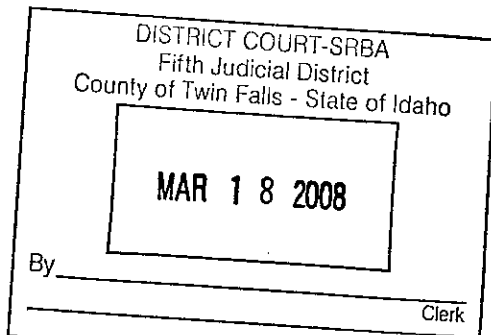




COPY RECEIVED
MAR 21 2008
DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

Subcase Nos. 67-00079K

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

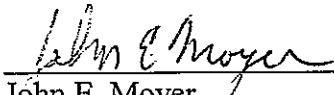
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

OBJECTOR
Nancy E. Hawkins

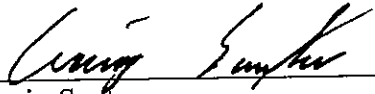

John E. Moyer
Claimant/Pro Se

3/8/08
Date


Nancy E. Hawkins
Objector/Pro Se

03/05/08
Date

IDWR Concurrence:

 3-14-08
Date
Craig Saxton
IDWR Agent

 2/24/08
Date
Chris M. Bromley
Deputy Attorney General

11/23/2007

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

RIGHT NUMBER: 67-79K

NAME AND ADDRESS: JOHN E MOYER
3098 FRUITVALE GLENDALE RD
FRUITVALE ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.190 CFS

This right shall provide no more than 0.0125 cfs per acre in accordance with the Muir v. Allison decree.

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:

~~T17N R01W S1 NESESW Within ADAMS County~~
T17N R01W S1 NWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.190 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S01

SWSW

1.00

T17N R01W S02

SESE

14.00

15 ACRES TOTAL

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 - Decreed

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

CERTIFICATE OF MAILING

I certify that on March 14th, 2008, 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:

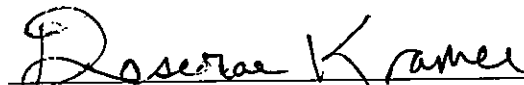
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Nancy E. Hawkins
P.O. Box 624
Pine Valley, CA 92062

John E. Moyer
P.O. Box 36
Fruitvale, ID 83620

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



Signature of person or attorney mailing the form