

RESPONDENT:

for Robert L. Hawkins 4/30/2008
Michael Ferguson Date

IDWR Concurrence:

Michael Holliday 2/26/2008
Michael Holliday Date
Senior Water Resource Agent

Andrea L. Courtney 2/26/08
Andrea L. Courtney Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 1-10489

NAME AND ADDRESS:

BEAR CREST LTD LLC
PO BOX 160
REXBURG ID 83440

SOURCE:

Source:
SNAKE RIVER

Tributary:

COLUMBIA RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 06/01/1987

POINT OF DIVERSION:

T05N R39E S35 SESENW
Within MADISON County

PURPOSE AND
PERIOD OF USE:

Purpose of use:

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.500 CFS

PLACE OF USE:

IRRIGATION within MADISON County

T05N R39E S27 SWNW 5.9

T05N R39E S28 Lot 4 SENE 27.0

T05N R39E S28 Lot 3 NESE 5.8

~~T05N R39E S28 Lot 3 SWSE 5.8~~

38.7 ACRES TOTAL

This right is limited to the irrigation of 13 acres within the place of use described above in a single irrigation season.

Right Nos. 1-319A and 1-10489 are limited to the irrigation of a combined total of 38.7 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 - Decreed

Water is delivered through Bannock Jim Canal to Nelson Corey Canal.

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

This right is a split from former right 1-129.

CERTIFICATE OF MAILING

I certify that on Apr. 30, 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

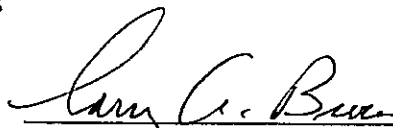
2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MICHAEL FERGUSON
P.O. BOX 160
REXBURG, ID 83440

BEAR CREST LTD, LLC
P.O. BOX 160
REXBURG, ID 83440

IDWR REPOSITORY
P.O. BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing form