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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 No. 78-4080
)
)
)
)
)
)
)

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.

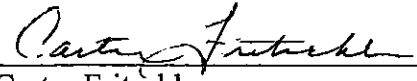
CLAIMANT/OBJECTOR

INTERVENOR

 09/18/08
Charles Honsinger on behalf of Date
Alvin & Linnea Hall

 9/10/08
Scott Campbell on behalf of Date
Osborn Ranch, Inc.

IDWR Concurrence:

 8-12-08
Carter Fritschle Date
Section Manager, Adjudication Bureau

 8/12/08
Andrea Courtney Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on September 18, 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:

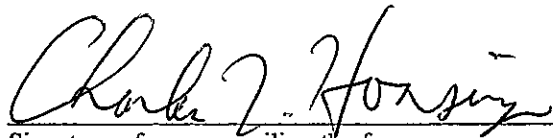
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

ALVIN H HALL
LINNEA L HALL
Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773

OSBORN RANCH INC
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098


Signature of person mailing the form

08/01/2008

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

RIGHT NUMBER: 78-4080

NAME AND ADDRESS: ALVIN H HALL
4220 HWY 95
NEW MEADOWS ID 83654

LINNEA L HALL
4220 HWY 95
NEW MEADOWS ID 83654

SOURCE: SIXMILE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 6.340 CFS

The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.

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

PRIORITY DATE: 05/18/1920 04/01/1920

POINT OF
DIVERSION:

T20N R02E S30 SENE Within ADAMS County
T20N R02E S30 SWSW Lot 4 Within ADAMS County
T20N R02E S30 SWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	6.320 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S24	SWNE	23.00	T20N R01E S24	SWNW	10.00
T20N R01E S24	SENE	40.00	T20N R01E S24	NESW	39.00
T20N R01E S24	NWSW	1.60	T20N R01E S24	SESW	32.00
T20N R01E S24	NESE	20.00	T20N R01E S24	NWSE	38.00
T20N R01E S24	SWSE	39.00	T20N R01E S24	SESE	20.00
T20N R01E S25	NENE	0.40	T20N R01E S25	NWNE	38.00
T20N R01E S25	NENW	15.00			

STOCKWATER in ADAMS County

T20N R01E S24	SESW	T20N R01E S24	NESE
T20N R01E S24	NWSE	T20N R01E S24	SWSE

316 ACRES TOTAL

Right Nos. 78-2025B, 78-4080 and 78-4170 are limited to the irrigation of a combined total of 316 324 acres in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use 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

Stockwater use is for 507 range animals.