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DEPARTMENT OF  
WATER RESOURCES

COPY

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. 22-13775     |
|                | ) | <i>Split from 22-684</i> |
|                | ) |                          |
| Case No. 39576 | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

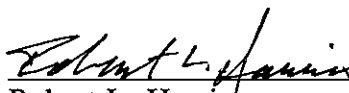
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

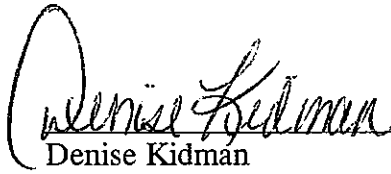
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

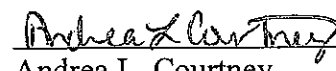
**CLAIMANT:**

Hofley Family Investment, LLC

 1/5/2009  
Robert L. Harris Date  
Attorney for Claimant

**DWR Concurrence:**

 1-5-09  
Denise Kidman                      Date  
Water Resource Agent

 12/29/08  
Andrea L. Courtney                      Date  
Deputy Attorney General  
Attorney for IDWR

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

RIGHT NUMBER: 22-13775

NAME AND ADDRESS: HOFLEY FAMILY INVESTMENT LLC  
PO BOX 1447  
WILSON WY 83014

SOURCE: Source: Tributary:  
BELL CREEK TETON RIVER  
GRIFFITH CREEK TETON RIVER

QUANTITY: 0.520 CFS 0.400 CFS

PRIORITY DATE: 08/01/1904

POINT OF DIVERSION: ~~T05N R45E S19 SENWSE Within TETON County~~  
T05N R45e S20 SESWSW Within TETON County  
T05N R45e S29 SNNWNE Within TETON County

PURPOSE AND PERIOD OF USE: Purpose of use Period of use: Quantity:  
IRRIGATION 04/15 10/15 0.520 CFS  
0.400 CFS

PLACE OF USE: IRRIGATION within TETON County  
T05N R45E S30 NENE 26.0 T05N R45E S30 NENE 20.0

26 ACRES TOTAL 20 ACRES TOTAL

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

This right is subject to regulation by the watermaster of Water District No 01.

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

This right is a split from former right 22-684.

*Am not*  
*OK*

## CERTIFICATE OF MAILING

I certify that on JANUARY 6<sup>th</sup>, 2008<sup>9</sup>, 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:

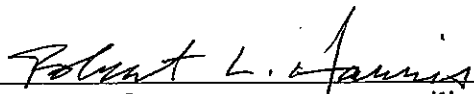
1. Original to:

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:

HOFLEY FAMILY INVESTMENT, LLC  
Represented by:  
ROBERT L. HARRIS  
1000 RIVERWALK DR., STE. 200  
P.O. BOX 50130  
IDAHO FALLS, ID 83405

DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098

  
\_\_\_\_\_  
Signature of person or attorney mailing the form