

RECEIVED

FEB 27 2009

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.: 37-13269A

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.

CLAIMANTS:

Valerie and Danny Van Horn

J. Evan Robertson

Attorney for Valerie and Danny Van Horn

Date

2/25/09

IDWR CONCURRENCE:

Steve Clelland

Sr. Water Resource Agent

Date

1/21/09

IDWR CONCURRENCE:

Christopher M. Bromley

Deputy Attorney General

Attorney for IDWR

Date

1/23/09

08/05/2008

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

RIGHT NUMBER: 37-13269A

NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: ~~CORRAL CREEK~~
EAST FORK CORRAL CREEK
WEST FORK CORRAL CREEK

~~TRIBUTARY: CAMAS CREEK~~
TRIBUTARY: CORRAL CREEK
TRIBUTARY: CORRAL CREEK

QUANTITY: 0.670 CFS

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:

~~T01N R13E S18 SESESE Within CAMAS County~~~~T01N R13E S18 SESESE Within CAMAS County~~~~T01N R13E S20 NENESE Within CAMAS County~~~~T01N R13E S20 NWNWNW Within CAMAS County~~~~T01N R13E S21 SWNWNW Within CAMAS County~~~~T01N R13E S29 SWNWNW Within CAMAS County~~~~T01N R13E S29 NESWSW Within CAMAS County~~

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

0.670 CFS

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R13E S20	SWNE	2.60	<u>2.30</u>	T01N R13E S20	NENW	12.00
T01N R13E S20	NWNW	~~12.00~~	<u>14.00</u>	T01N R13E S20	SENE	30.00
T01N R13E S20	NESW	17.00		T01N R13E S20	SESW	~~3.30~~ <u>3.50</u>
T01N R13E S20	NESE	~~26.00~~	<u>30.00</u>	T01N R13E S20	NWSE	~~34.00~~ <u>35.00</u>
T01N R13E S20	SWSE	~~33.00~~	<u>34.00</u>	T01N R13E S20	SESE	~~38.00~~ <u>40.00</u>
T01N R13E S21	SWNW	~~11.00~~	<u>12.00</u>	T01N R13E S21	SENE	~~6.10~~ <u>6.60</u>
T01N R13E S21	NESW	14.00		T01N R13E S21	NWSW	20.00
T01N R13E S21	SWSW	~~26.00~~	<u>39.00</u>	T01N R13E S21	SESW	~~1.50~~ <u>4.80</u>
~~T01N R13E S28~~	~~NENW~~	~~12.00~~		T01N R13E S28	NWNW	~~11.00~~ <u>19.00</u>
T01N R13E S29	NENE	~~37.00~~	<u>39.00</u>	T01N R13E S29	NWNE	~~38.00~~ <u>39.00</u>
T01N R13E S29	SWNE	40.00		T01N R13E S29	SENE	~~38.00~~ <u>20.00</u>
T01N R13E S29	NENW	0.70		T01N R13E S29	SENE	~~14.00~~ <u>25.00</u>
T01N R13E S29	NESW	~~38.00~~	<u>40.00</u>	T01N R13E S29	NWSW	~~2.90~~ <u>4.10</u>
T01N R13E S29	SWSW	~~23.00~~	<u>27.00</u>	T01N R13E S29	SESW	~~38.00~~ <u>40.00</u>
T01N R13E S29	NESE	~~38.00~~	<u>21.00</u>	T01N R13E S29	NWSE	40.00

08/05/2008

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

T01N R13E S29	SWSE	40.00	T01N R13E S29	SESE	~~9.30~~ <u>9.80</u>
T01N R13E S31	NENE	2.50	T01N R13E S31	SENE	7.10
T01N R13E S32	NWNE	~~35.00~~ <u>34.00</u>	T01N R13E S32	NENW	~~38.00~~ <u>40.00</u>
T01N R13E S32	NWNW	~~37.00~~ <u>38.00</u>	T01N R13E S32	SWNW	~~38.00~~ <u>40.00</u>
T01N R13E S32	SENW	~~38.00~~ <u>21.00</u>			

~~843.0~~ 913.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~843~~ 913.4 acres in a single irrigation season. Combined Right Nos.: 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A.

This right is limited to the irrigation of 161.8 acres within the place of use described above 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

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

This right is a split from former right 37-136.

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

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

SCC CB



CERTIFICATE OF SERVICE

I certify that on February 26, 2009, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

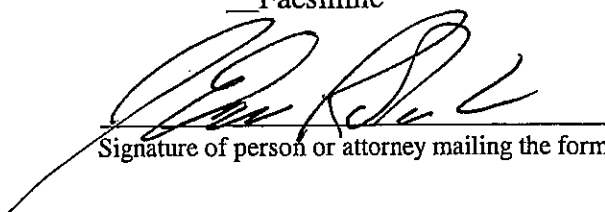
2. Copies to:

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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

J. Evan Robertson
Robertson Slette
P.O. Box 1906
Twin Falls, ID 83303-1906

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile


Signature of person or attorney mailing the form