

**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.: 37-463A**

) **CORRECTED**

) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A**
) **WATER RIGHT**

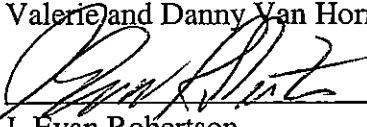
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary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

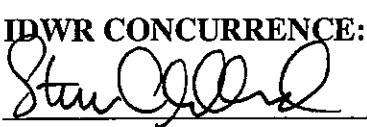
Valerie and Danny Van Horn


J. Evan Robertson

10-20-09
Date

Attorney for Valerie and Danny Van Horn

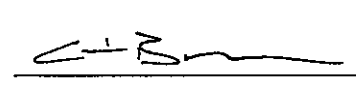
IDWR CONCURRENCE:


Steve Clelland

Sr. Water Resource Agent

10/15/09
Date

IDWR CONCURRENCE:


Christopher M. Bromley

Deputy Attorney General

Attorney for IDWR

10/20/09
Date

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

RIGHT NUMBER: 37-463A

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

SOURCE: EAST FORK CORRAL CREEK Tributary: CORRAL CREEK
Point of injection into and point of redirection from Lansing Creek.

QUANTITY: 1.100 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T01N R13E S20 NENESE Within CAMAS County
T01N R13E S21 NWSESW Injection Within CAMAS County
T01N R13E S28 NWNWNW Rediversion Within CAMAS County
T01N R13E S29 SENENE Rediversion Within CAMAS County
T01N R13E S32 NWNENE Rediversion Within CAMAS County
T01N R13E S32 NENESE Rediversion Within CAMAS County

See
CB
JGR

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	04/15 10/31	1.100 CFS

PLACE OF USE: IRRIGATION within CAMAS County

<u>T01N R13E S28 SWSW 4.4</u>	~~T01N R13E S28 SWSW 5.0~~
T01N R13E S29 SESE 4.0	
<u>T01N R13E S32 NENE 40.0</u>	~~T01N R13E S32 NENE 39.0~~
<u>T01N R13E S32 SENE 40.0</u>	~~T01N R13E S32 SENE 38.0~~
<u>T01N R13E S32 NESE 40.0</u>	~~T01N R13E S32 NESE 39.0~~
<u>T01N R13E S32 SESE 40.0</u>	~~T01N R13E S32 SESE 38.0~~
T01N R13E S33 NWNW 30.0	
T01N R13E S33 SWNW 40.0	

238.4 ACRES TOTAL ~~233 ACRES TOTAL~~

This right is limited to the irrigation of 47 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.

The following rights are diverted through point(s) of diversion described above:
37-463A, 37-13261A, 37-13267A, 37-13268A, 37-13269A & 37-728A.

CERTIFICATE OF SERVICE

I certify that on December 1, 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

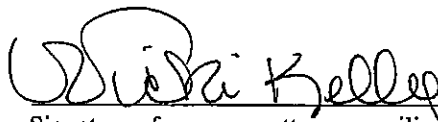
2. Copies to:

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