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**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	)	STANDARD FORM 5
	)	
Case No. 39576	)	SUBCASE NO: 34-10439
	)	
	)	
	)	PROPOSED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the proposed elements of one federal reserved water right or one water right acquired under state law. Submission of this form will not result in the automatic 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; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

Instructions For Use

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany **each** element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to an uncontested element shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

3410439

1. The name and address of the claimant is:

DAVID A HORRE
LINDA HORRE
GENERAL DELIVERY
MACKAY ID 83251

***** D OWNERS *****

ELMABETH NIELSEN
REED M. NIELSEN
P.O. BOX 216
MACKAY ID 83251

Required Statement:

As recommended in the director's report.

2. The source of water is:

Source: GROUNDWATER

Tributary:

Required Statement:

As recommended in the director's report.

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

DOMESTIC	.04	CFS
STOCKWATER	.12	CFS
TOTAL QUANTITY:	.16	CFS

Required Statement:

As recommended in the director's report.

4. The priority date is:

08/22/1908

Required Statement:

As recommended in the director's report.

5. The legal description of the point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T07N R24E S07 SWSE

Required Statement:

Typographical error in the legal description.

6. The purpose of use is:

DOMESTIC
STOCKWATER

Required Statement:

As recommended in the director's report.

7. The period of year when the water is to be used is:

DOMESTIC 01-01 12-31

STOCKWATER

01-01 12-31

Required Statement:

As recommended in the director's report.

- 8. The legal description of the place of use or of the reservation is:**

PLACE OF USE: DOMESTIC

T07N R24E S07 SWSE

PLACE OF USE: STOCKWATER

T07N R24E S07 SWSE

Required Statement:

Typographical error in the legal description.

- 9. The annual volume of consumptive use is:**

Required Statement:

As recommended in the director's report.

- 10. Other matters necessary to define this water right.**

These matters are necessary because:

These matters do not fall within the 9 elements listed above because:

RECEIVED

JAN 24 1995

Signature and Address of Parties and their Attorney of Record

I have read this form and know its contents and that the statements are true to the best of my knowledge and belief. Department of Water Resources

Name: Dave and Linda Horre'

Address: P.O. Box 176

City/State/Zip: Gooding, ID 83330-0176

Attorney of Record: Craig D. Hobbley

Daniel J. Horre 1-3-95
Linda Horre 1-3-95
Party's Signature Date

Craig D. Hobbley 1-3-95
Attorney's Signature Date
Craig Hobbley 1-10-95

Name: Idaho Dept. of Water Resources

Address: P.O. Box 83720

City/State/Zip: Boise, ID 83720-0098

Attorney of Record: Susan E. Hamlin

Susan E. Hamlin 12-27-94
Attorney's Signature Date

Court Representative (if necessary)

Date

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on July 24, 1995, 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:

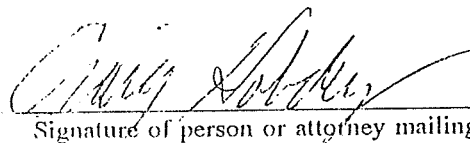
1. Original to:

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:

Craig D. Hobbley
P.O. Box 176
Gooding, ID 83330-0176

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



Signature of person or attorney mailing the form