

JAN 11 1935

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

PROPOSED ELEMENTS OF A 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.

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).

1. The name and address of the claimant is:

David & Linda Horre
P.O. Box 7
Mackay, Idaho 83251

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Lower Cedar Creek

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: 6.4 cfs

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: August 27, 1919

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, than a legal description of the beginning and ending points of the claimed instream flow:
T7N R24E Sec. 2 SWNWSW

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: Irrigation

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is: 5/1 - 10/15

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

8. The legal description of the place of use or of the reservation is: T7N R24E Sec. 14 NWSW 40.0 Lot 4 SWSW 40.0
Sec. 15 Lot 1 SESE 40.0
Sec. 22 NENE 40.0

Sec. 23 NWNW 40.0

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

9. The annual volume of consumptive use is: 500.0 afy

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

10. Other matters necessary to define this water right

Water is delivered through Lower Cedar Creek. 2.40 cfs of this right is limited to use for conveyance losses in delivery of this right.

These matters are necessary because:

They are recommended in the Director's Report and they help define the right.

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

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

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

Name: David & Linda Horre
Address: P.O. Box 7
City/State: Mackay, ID
Zip: 83251

Name: United States through
Dept. of Justice for BLM
Address: 601 Pennsylvania Ave., NW
City/State: Wash., DC 20004
Attorney of Record: R. Lee Leininger/Daria
Zane

Attorney of Record:

David a Horre 1-3-95

Linda Horre 1-3-95
Party's Signature Date

Craig Halder 1-10-95
Attorney's Signature Date

R. Lee Leininger 12/21/94
Attorney's Signature Date

Court Representative Date
(if necessary)

Name: IDWR
Address: 1301 N. Orchard St.
City: Boise
State/Zip: Idaho 83706
Attorney of Record: A. Lynne Krogh

A. Lynne Krogh
Attorney's Signature

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 January 13, 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:

Department of Justice
C/O Boise Adjudication Team
380 Park Center Blvd. - Suite 330
Boise, Idaho 83706

Craig D. Hobdey, Esquire
125 - 5th Avenue West
Gooding, Idaho 83330

A. Lynne Krogh
Idaho Dept. of Water Resource