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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	)	AMENDED STANDARD FORM 5
	)	
Case No. 39576	)	SUBCASE NO: 34-00585
	)	
	)	
	)	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).

IDWR and the parties stipulate that water right no. 34-00585 is correctly described in the director's report.

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.

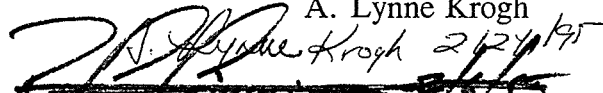
Name: Idaho Dept. of Water Resources

Address: P.O. Box 83720

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

Attorney of Record: Susan E. Hamlin

A. Lynne Krogh

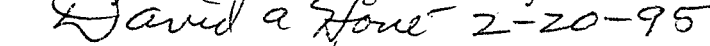

Attorney's Signature Date

Name: David & Linda Horre

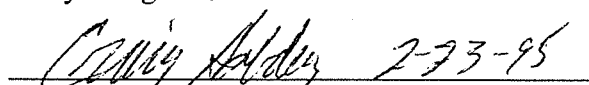
Address: General Delivery

City/State/Zip: Mackay, ID 83251

Attorney of Record: Craig D. Hobday

 2-20-95


Party's Signature Date

 2-23-95
Attorney's Signature Date

Name: United States through

Address: Dept. of Justice for BLM

601 Pennsylvania Ave NW

City/State: Washington, DC 20004

Attorney of Record: R. Lee Leininger/

Daria Zane


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 2/24, 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:

US Dept. of Justice
Env't. & Nat. Resources Div.
550 W. Fort St. Box 33
Boise, ID 83724

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

A. Lynne Krogh
Signature of person or attorney mailing the form

AJ5856NP

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

DATE: JAN-17-1995
PAGE: A-32

RIGHT NUMBER	NAME & ADDRESS	PRIORITY	PERIOD OF USE		MAXIMUM QUANTITY	BASIS OF CLAIM
		DATE	PURPOSE OF USE	FROM		
SOURCE: LOWER CEDAR CREEK		TRIBUTARY: SINKS				

34-00585 DAVID A HORRE 07/05/1905 IRRIGATION 05-01 10-15 2.5 CFS DECREED
LINDA HORRE
GENERAL DELIVERY
MACKAY ID 83251

POINT OF DIVERSION:
TOTN R24E S02 SWMSW TOTAL QUANTITY: 2.5 CFS
PLACE OF USE: IRRIGATION

TOTN R24E S26	NESW 40.0	NMSW 40.0	SMSW 22.0	SESW 23.0
	NESE 40.0	NWSE 40.0		

205.0 ACRES TOTAL
REMARKS: WATER IS DELIVERED THROUGH LOWER CEDAR CREEK.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.30 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 512.5 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 205 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS: 34-00586, 34-10434.
1.44 CFS OF RIGHT NO. 34-10434 IS LIMITED TO USE FOR
CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND THE RIGHTS LISTED
ABOVE.