

8-2-8

**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     | ) | <b>AMENDED STANDARD FORM 5</b> |
|                | ) |                                |
| Case No. 39576 | ) | <b>SUBCASE NO: 34-10439</b>    |
|                | ) |                                |
|                | ) |                                |
|                | ) | <b>PROPOSED ELEMENTS OF A</b>  |
|                | ) | <b>WATER RIGHT</b>             |

---

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).

1. The name and address of the claimant is:

DAVID A HORRE  
LINDA HORRE  
GENERAL DELIVERY  
MACKAY ID 83251

Required Statement: The Horres are the current owners of this water right, as shown by the Standard Form 3 previously filed with the court by the current owners.

2. The source of water is: GROUNDWATER

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        | 0.04 CFS |
| STOCKWATER      | 0.12 CFS |
| TOTAL QUANTITY: | 0.16 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: IDWR and the parties stipulate that this is the correct description of the point of diversion. The claim is not for an instream flow.

6. The purpose of use is:

DOMESTIC  
STOCKWATER

NON-IRRIGATION USES: DOMESTIC, 1 HOUSEHOLD; STOCKWATER, 500 CATTLE

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 to 12-31  
STOCKWATER 01-01 to 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:

T07N R24E S07 SWSE

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use. The place of use is located in Custer County, Idaho.

9. The annual volume of consumptive use is: DE MINIMUS.

Required Statement: As recommended in the director's report.

10. Other matters necessary to define this water right: Not applicable.

These matters are necessary because: Not applicable.

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

### 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

A. Lynne Krogh 2/24/95  
Attorney's Signature Date

Name: David & Linda Horre  
Address: General Delivery  
City/State/Zip: Mackay, ID 83251  
Attorney of Record: Craig D. Hobdey

David a Horre 2-20-95  
Linda g Horre 2-20-95  
Party's Signature Date  
Craig D. Hobdey 2-23-95  
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

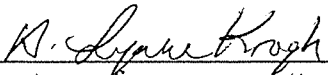
I certify that on 2/24, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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:

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

  
Signature of person or attorney mailing the form



AJ5856NP

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

DATE: JAN-25-1995  
PAGE: A-1

| RIGHT<br>NUMBER      | NAME & ADDRESS                                                      | PRIORITY   |                 | PERIOD OF USE |       | MAXIMUM<br>QUANTITY | BASIS OF CLAIM |
|----------------------|---------------------------------------------------------------------|------------|-----------------|---------------|-------|---------------------|----------------|
|                      |                                                                     | DATE       | PURPOSE OF USE  | FROM          | TO    |                     |                |
| SOURCE: GROUNDWATER  |                                                                     |            |                 |               |       |                     |                |
| 34-10439             | DAVID A HORRE<br>LINDA HORRE<br>GENERAL DELIVERY<br>MACKAY ID 83251 | 08/22/1908 | DOMESTIC        | 01-01         | 12-31 | 0.04 CFS            | BENEFICIAL USE |
|                      |                                                                     |            | STOCKWATER      | 01-01         | 12-31 | 0.12 CFS            |                |
|                      |                                                                     |            | TOTAL QUANTITY: |               |       | 0.16 CFS            |                |
| NON-IRRIGATION-USES: |                                                                     |            |                 |               |       |                     |                |
|                      | DOMESTIC, 1 HOUSEHOLD; STOCKWATER, 500 CATTLE                       |            |                 |               |       |                     |                |
|                      | POINT OF DIVERSION:                                                 |            |                 |               |       |                     |                |
|                      | T07N R24E S07                                                       |            |                 |               |       | SMSW                |                |
|                      | PLACE OF USE: DOMESTIC                                              |            |                 |               |       |                     |                |
|                      | T07N R24E S07                                                       |            |                 |               |       | SMSW                |                |
|                      | PLACE OF USE: STOCKWATER                                            |            |                 |               |       |                     |                |
|                      | T07N R24E S07                                                       |            |                 |               |       | SMSW                |                |
|                      | PLACE OF USE: STOCKWATER                                            |            |                 |               |       |                     |                |
|                      | T07N R24E S07                                                       |            |                 |               |       | SMSW                |                |

