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Department of Water Resources
Adjudication Bureau

7-28

**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: 34-02493
	)	
_____	)	STIPULATED ELEMENTS OF A WATER RIGHT

This form is used to report the stipulated elements of one water right under state law or one water right acquired under 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; and 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.

Instructions For Use

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:

UNITED STATES OF AMERICA, ACTING THROUGH
USDA, FMHA
3232 ELDER ST
BOISE, ID 83705

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

2. The source of water is: UNNAMED STREAM Tributary: BIG LOST RIVER

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

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

IRRIGATION	1.25 CFS	264.0 AFY
TOTAL QUANTITY	1.25 CFS	264.0 AFY

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

4. The priority date is: 10/13/1966

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:

Point of diversion: T06N R26E S33 SWSW

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:

IRRIGATION 05-01 TO 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:

TO5N R26E S04	NENW 1.5	NWNW 1.5
TO6N R26E S32	SESE 40.0	
S33	SWSW 35.0	SESW 10.0

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

9. The annual volume of consumptive use is: 264.0 AFY

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.

Signatures and Addresses 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: P U Ranch
Address: 4500 Imperial Ave
City/State/Zip: San Diego, CA 92113
Attorney of Record: Kent W. Foster

Richard A. Duthie 7-24-95
Party's Signature Date

Kent W. Foster 7/21/95
Kent Foster Date

Name: United States of America on Behalf of the USDA, FMHA
through the Department of Justice
Address: 380 Parkcenter Blvd. Suite 330
City/State/Zip: Boise, ID 83706
Attorney of Record: Randall J. Bramer

Randall J. Bramer 7/19/95
Randall J. Bramer 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 U.S. mail, postage prepaid and addressed as follows:

1. Original to:

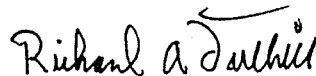
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

United States of America on behalf
of the USDA-FMHA
through the Department of Justice
550 W. Fort Street, Box 033
Boise, ID 83724



Signature of person mailing the form