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OFFICE OF THE  
ATTORNEY GENERAL

Department of Water Resources  
Adjudication Bureau

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

Case No. 39576

STANDARD FORM 5

SUBCASE NO: 36-13490

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).

1. The name and address of the claimant is:

UNITED STATES OF AMERICA  
BUREAU OF RECLAMATION  
1150 N CURTIS RD  
BOISE ID 83706-1234

Required Statement: IDWR and the parties stipulate that this is the correct name and address of the claimant.

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 |
| TOTAL QUANTITY: | 0.04 | CFS |

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

4. The priority date is: 07/12/1957

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:

T09S R21E S09                      NENENE

Required Statement: As recommended in the director's report. The claim is not for an instream flow.

6. The purpose of use is: DOMESTIC

NON-IRRIGATION USES: DOMESTIC - 1 HOUSE

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

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

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

T09S R21E S09

NENE

PROPERTY IS ALSO KNOWN AS TRACT C.

Required Statement: As recommended in the director's report. The place of use is located in Minidoka County, Idaho.

9. The annual volume of consumptive use is: De Minimis.

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: United States of America

Bureau of Reclamation

Address: 1150 N. Curtis Rd.

City/State/Zip: Boise, ID 83706-1234

Attorney of Record: Daria J. Zane

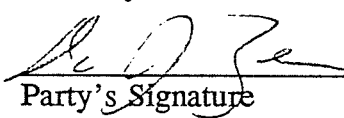
Name: Idaho Dept. of Water Resources

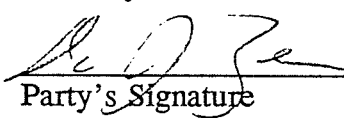
Address: P.O. Box 83720

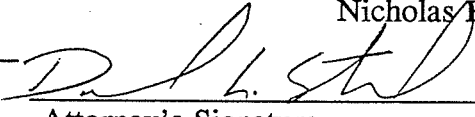
City/State/Zip: Boise, ID 83720-0098

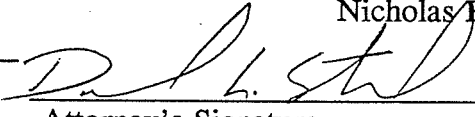
Attorney of Record: Daniel L. Steckel/

Nicholas B. Spencer

  
Party's Signature

  
Date

  
Attorney's Signature

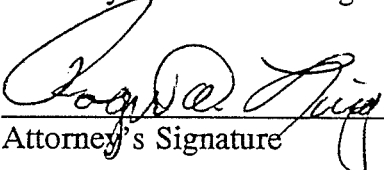
  
Date

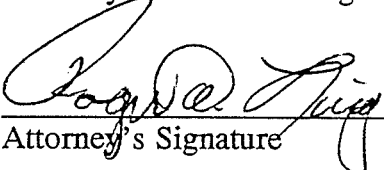
Name: A & B Irrigation District

Address: P.O. Box 675

City/State/Zip: Rupert, ID 83350

Attorney of Record: Roger D. Ling

  
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 March 10, 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:

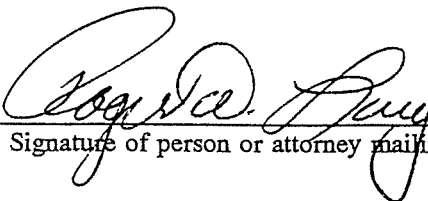
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

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

U.S. Department of Justice  
Environment and Natural  
Resources Division  
550 West Fort Street, Box 33  
Boise, ID 83724-0663

A & B Irrigation  
P.O. Box 396  
Rupert, ID 83350



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: MAR-3-1995  
PAGE: A-1

| RIGHT<br>NUMBER                             | NAME & ADDRESS                                            | PRIORITY<br>DATE | PURPOSE OF USE | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM |
|---------------------------------------------|-----------------------------------------------------------|------------------|----------------|--------------------------|---------------------|----------------|
| -----                                       |                                                           |                  |                |                          |                     |                |
| SOURCE: GROUNDWATER                         |                                                           |                  |                |                          |                     |                |
| 36-13490                                    | A & B IRRIGATION DISTRICT<br>POBOX 675<br>RUPERT ID 83350 | 07/12/1957       | DOMESTIC       | 01-01 12-31              | 0.04 CFS            | BENEFICIAL USE |
| -----                                       |                                                           |                  |                |                          |                     |                |
| NON-IRRIGATION-USES:                        |                                                           |                  |                |                          |                     |                |
| DOMESTIC 1 HOUSE                            |                                                           |                  |                |                          |                     |                |
| POINT OF DIVERSION:                         |                                                           |                  |                |                          |                     |                |
| T09S R21E S09 NENENE                        |                                                           |                  |                |                          |                     |                |
| PLACE OF USE: DOMESTIC                      |                                                           |                  |                |                          |                     |                |
| T09S R21E S09 NENE                          |                                                           |                  |                |                          |                     |                |
| REMARKS: PROPERTY IS ALSO KNOWN AS TRACT C. |                                                           |                  |                |                          |                     |                |

TOTAL QUANTITY: 0.04 CFS