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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: 34-00164
	)	
	)	
	)	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:

CHARLENE C. DEE
RONALD H. DEE
P.O. BOX 452
MOORE ID 83255

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

2. The source of water is:

Source: BIG LOST RIVER Tributary: SINKS

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:

IRRIGATION 0.88 CFS
TOTAL QUANTITY: 0.88 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.71. COMBINED RIGHT NOS.: 34-00165B, 34-10292, 34-02318, 34-02414, 34-02503, 34-07027 & 34-12053.

Required Statement: The diversion rate for this right is as recommended in the director's report. The total combined diversion rate for this right and the other listed rights is reduced consistent with the stipulated place of use.

4. The priority date is: 09/01/1896

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:

T06N R25E S14 SENWSE

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

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:

T05N R26E S07 NESE 25.0 acres, SESE 6.0 acres
T05N R26E S08 NWNW 10.0 acres, SWNW 37.0 acres, NESW 18.0 acres,
NWSW 40.0 acres, SWSW 40.0 acres, SESW 35.0 acres
T05N R26E S17 NWNE 12.0 acres, SWNE 27.0 acres, NENW 40.0 acres,
NWNW 44.0 acres, SWNW 47.0 acres, SENW 28.0 acres,
NESW 10.0 acres, SESW 5.0 acres, NESE 5.0 acres,
NWSE 40.0 acres, SWSE 37.0 acres, SESE 20.0 acres
T05N R26E S18 NENE 32.4 acres, SENE 29.6 acres
588.0 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00165B, 34-10292, 34-02318, 34-02414, 34-02503, 34-07027 & 34-12053.

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 Butte County, Idaho.

9. The annual volume of consumptive use is:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1470 AF. COMBINED RIGHT NOS.: 34-00165B, 34-10292, 34-02318, 34-02414, 34-02503, 34-07027 & 34-12053.

Required Statement: Annual volume of consumptive use is reduced consistent with the stipulated place of use.

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 3/22/95
Attorney's Signature Date

Name: Charlene C. and Ronald H. Dee
Address: P.O. Box 452
City/State/Zip: Moore, ID 83255
Attorney of Record:

Ronald H. Dee 3-1-95
Party's Signature Date

Charlene C. Dee 3-10-95
Attorney's Signature Date
Party's

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

R. Lee Leininger 2/6/95
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 March 23, 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:

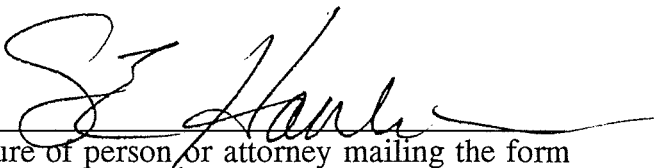
1. Original to:

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

Charlene C. and Ronald H. Dee
P.O. Box 452
Moore, ID 83255



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-8

RIGHT NUMBER	NAME & ADDRESS	PRIORITY	PERIOD OF USE		MAXIMUM QUANTITY	BASIS OF CLAIM
		DATE	PURPOSE OF USE	FROM TO		

SOURCE: BIG LOST RIVER

TRIBUTARY: SINKS

34-00164	CHARLENE C. DEE RONALD H. DEE P.O. BOX 452 MOORE ID 83255	09/01/1896	IRRIGATION	05-01 10-15	0.88	CFS	DECREED
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POINT OF DIVERSION:
T06N R25E S14
PLACE OF USE: IRRIGATION

SENWSE

TOTAL QUANTITY: 0.88 CFS

T05N R26E S07	NESE 25.0	NWSE 4.0	SWSE 1.0	SESE 6.0
S08	NWNE 10.0	SWNW 37.0	NESW 18.0	NWSW 40.0
	SWSW 40.0	SESW 35.0		
S17	NWNE 12.0	SWNE 27.0	NENW 40.0	NWNW 44.0
	SWNW 47.0	SENW 28.0	NESW 10.0	SESW 5.0
	NESE 5.0	NWSE 40.0	SWSE 37.0	SESE 20.0
S18	NENE 32.4	NWNE 3.0	SWNE 3.0	SENE 29.6

599.0 ACRES TOTAL

REMARKS: USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 13.93 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 1497.5 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 599 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00165B, 34-10292, 34-02318, 34-02414,
34-02503, 34-07027 & 34-12053.

