

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: 34-10675

) 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:

DIAMOND LAZY "L" RANCH LTD.
C/O JAMES LORD
BOX 5
DARLINGTON ID 83231

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

2. The source of water is:

Source: SPRING

Tributary: RAMSHORN CANYON

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:

STOCKWATER	0.05	CFS
TOTAL QUANTITY:	0.05	CFS

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

4. The priority date is: 03/16/1923

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 R27E S25 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: STOCKWATER

NON-IRRIGATION USES: STOCKWATER - 120 RANGE CATTLE

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

7. The period of year when the water is to be used is:

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:

T06N R27E S25 SWSE

NATIONAL FOREST LAND ALLOTMENT NO. 415
PROPERTY ALSO KNOWN AS RAMS HORN CANYON

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: 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: Diamond Lazy "L" Ranch Ltd.

Address: P.O. Box 1846

City/State/Zip: Twin Falls, ID 83303

Attorney of Record: J. Dee May

x Arthur D. Bess 2/24/95
Party's Signature Date

Arthur D. Bess 3/6/95
Attorney's Signature Date

Name: Idaho Dept. of Water Resources

Address: P.O. Box 83720

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

Attorney of Record: Susan E. Hamlin

Susan E. Hamlin 3-22-95
Attorney's Signature Date

Name: United States through

Address: Department of Justice

601 Pennsylvania Ave. NW

City/State: Washington, DC 20004

Attorney of Record: Randall Bramer

Randall Bramer 3/22/95
Attorney's Signature Date

Robert W. Hamner 3/20/95
Party's Signature Date

DALE N. Bosworth, Regional Forester - Intermountain Region

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 22, 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:

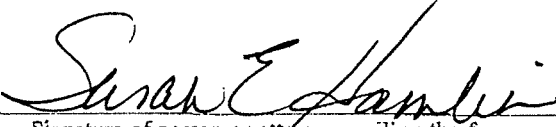
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

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

Department of Justice
c/o Boise Adjudication Team
380 Park Center Blvd. - Ste. 330
Boise, ID 83706

Diamond Lazy "L" Ranch Ltd.
C/O J. Dee May
P.O. Box 1846
Twin Falls, ID 83303


Signature of person or attorney mailing the form

AJ5B56NP

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

DATE: MAY-6-1993
PAGE: A-687

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: SPRING

TRIBUTARY: RAMSHORN CANYON

34-10675

DIAMOND LAZY "L" RANCH LTD.
C/O JAMES LORD
BOX 5
DARLINGTON ID 83231

03/16/1923 STOCKWATER

01-01 12-31

.05

CFS

BENEFICIAL USE

TOTAL QUANTITY:

.05

CFS

NON-IRRIGATION-USES:

STOCKWATER 120 RANGE CATTLE

POINT OF DIVERSION:

T06R R27E S30

SUSE

PLACE OF USE: STOCKWATER

T06R R27E S30

SUSE

REMARKS: NATIONAL FOREST LAND ALLOTMENT NO. 415
PROPERTY ALSO KNOWN AS RAMS HORN CANYON