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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
Case No. 39576

STANDARD FORM 5

SUBCASE NO: 34-00469

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.

INSTRUCTION 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 as necessary).

S. F. 5
12/13/94

1. The name and address of the claimant is:
Steve Aslett for Aslett Ranches
P.O. Box B
Twin Falls, ID 83303

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Warm Springs Creek

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: 3.2 cfs irrigation and .02 cfs stockwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: November 1, 1892

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

5. The legal description of point(s) of diversion is; if the claim is for an instream flow, than a legal description of the beginning and ending points of the claimed instream flow: T8N R22E Sec. 34 SWNESE

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: Irrigation/Stockwater

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

7. The period of year when the water is to be used is:
IRR 5/1 - 10/15
Stockwater 10/16 - 4/30

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

12/13/94

8. The legal description of the place of use or of the reservation is: T7N R23E Sec. 6 Lot 3 (NENW) (42.0); Lot 4 (NWNW) (41.0); SENW (5.0); T8N R23E Sec. 31 NESW (40.0) Lot 4 (SWSW) (40.0) SESW (40.0). Total 208.0 acres

Required Statement: The following POU should be deleted: T.07N, R23E, Sec. 6, Lot 5 (SWNW) (5.0)

9. The annual volume of consumptive use is: 520.0 af

Required Statement: The annual volume of consumptive is reduced proportionately with the reduction in areas.

10. Other matters necessary to define this water right

The appropriator is entitled to the amount of water described above for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described above. The portion of this right for stockwater purposes may be diverted so long as the amount of water diverted at the point of diversion for stockwater purposes does not constitute unreasonable waste and does not conflict with the public interest, as determined by the Director. Use of this right with right no. 34-00471 is limited to a total combined annual consumptive use volume of 520. af, and to the irrigation of a combined total of 208.0 acres in a single irrigation season. Water is delivered through upper fish hatchery canal.

These matters are necessary because:

They are recommended in the Director's Report and help define the right.

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

S. R. S
12/13/94

Signature and Address of Parties and their Attorney of Record
(attach additional page if necessary)

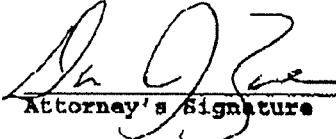
I have read this form and know its contents and that the
statements are true to the best of my knowledge and belief.

Name: Steve Aslett
Address: P.O. Box B
City/State: Twin Falls, ID
Zip: 83303
Attorney of Record:

 12/29/94
Party's Signature Date

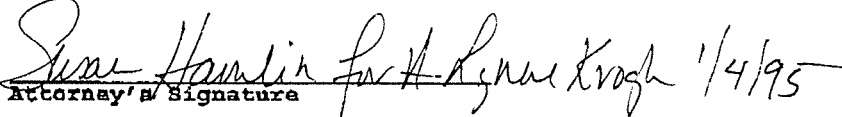
Attorney's Signature Date

Name: United States through
Address: Dept. of Justice of BLM
601 Pennsylvania Ave. NW
City/State: Washington, DC 20004
Attorney of Record: R. Lee Leininger

 1/4/95
Attorney's Signature Date

Court Representative Data
(if necessary)

Name: IDWR
Address: 1301 N. Orchard St.
City: Boise
State/Zip: Idaho 83706
Attorney of Record: A. Lynne Krogh

 1/4/95
Attorney's Signature

S. P. 5
12/13/94

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 1-4, 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:

Steve Aslett
212 Highland Avenue
Twin Falls, ID 83301

Department of Justice
C/O Boise Adjudication Team
380 Park Center Blvd. - Suite 330
Boise, Idaho 83706


Idaho Dept. of Water Resource