

1-5-95

PROPOSED ELEMENTS OF A WATER RIGHT

S. F. 5
12/13/94

1. The name and address of the claimant is:
Ronald Von Hagen
P.O. Box 1907
Sun Valley, ID 83353

Required Statement: AS RECOMMENDED

2. The source of water is: Lehman Creek

Required Statement: AS RECOMMENDED

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is: 2.64 cfs

Required Statement: AS RECOMMENDED

4. The priority date is: June 1, 1880

Required Statement: AS RECOMMENDED

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: T7N R22E Sec. 10 NESENW

Required Statement: AS RECOMMENDED

6. The purpose of use is: Irrigation

Required Statement: AS RECOMMENDED

7. The period of year when the water is to be used is:
05-01 - 10-15

Required Statement: AS RECOMMENDED

8. The legal description of the place of use or of the reservation is: T7N R22E Sec. 2 NESW (30.0) SWSW (34.0) SESW (40.0); Sec. 3 SESE (28.0)

Required Statement: The following POU's should be deleted: T7N R22E, Sec. 3 NESE (4.0); Sec. 11 NENW (5.0) NWNW (8.0). The acreage of these POU's has been transferred to T7N R22E Sec. 2 NESW increasing the total acres there from 13.0 to 30.0 per the administrative transfer approved by IDWR.

9. The annual volume of consumptive use is: 330 AF

Required Statement: AS SHOWN IN REMARKS

10. Other matters necessary to define this water right:

Right includes accomplished change in point of diversion pursuant to Idaho Code 42-1416A. Right includes accomplished change in place of use pursuant to Idaho Code 42-1416A. Use of this right with right no. 34-04068 is limited to a total combined diversion rate of 2.64 CFS, a total combined annual consumptive use volume of 330 AF, and to the irrigation of a combined total of 132 acres in a single irrigation season. Right no. 34-04068 is also diverted through point of diversion described above.

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:

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: Ronald Von Hagen
Address: P.O. Box 1907
City/State: Sun Valley, ID
Zip: 83353
Attorney of Record:

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

Ronald Von Hagen 11/3/95
Party's Signature Date

J-P SpecL 12/28/94
Attorney's Signature Date

R. Lee Leininger 12/21/94
Attorney's Signature Date

Court Representative Date
(if necessary)

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

Sharon Hamlin for A. Lynne Krogh 1/4/95
Attorney's Signature

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:

James Speck, Esq.
Hogue, Speck & AAnestad
120 East Avenue
PO Box 987
Ketchum, ID 83340

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



Idaho Dept. of Water Resource