

1-24

PROPOSED ELEMENTS OF A WATER RIGHT

S. F. 5
12/13/94

1. The name and address of the claimant is:

Lester W. Broadie
P.O. Box 565
Arco, Idaho 83213

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

2. The source of water is: Spring

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: 6.64 cfs

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: June 1, 1890

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:

T2N R24E Sec. 4 SWSESW; Sec. 9 SWNESE; Sec. 10 NENWSW; Sec. 16 SENWNW Sec. 9 NENESE (I) and Sec. 10 NENWSW (R)

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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:
5/1 - 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: T2N R24E Sec. 10 SWNE (31.0) SENE (5.0) SENW (20.0) Sec. 11 SWNW (11.0) SENW (2.0) NESW (10.0) NWSW (20.0) NESE (14.0) NWSE (13.0) SESE (14.0) Sec. 12 NWSW (16.0) SWSW (10.0)

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

9. The annual volume of consumptive use is: 507.5 af

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

10. Other matters necessary to define this water right

Point of injection into North Lava Creek from South Lava Creek. Point of rediversion from North Lava Creek. The amount of water rediverted from North Lava Creek shall be reduced when necessary to prevent injury to appropriators of water below the point of rediversion. 2 points of diversion located in SWSESW Sec. 4 T2N R24E (Antimony Spring/North Lava Creek). Use of this right with rights listed below is limited to a total combined diversion rate of 7.38 cfs, a total combined annual consumptive use volume of 507.5 af, and to the irrigation of a combined total of 203 acres in a single irrigation season. Combined Right Nos. 34-02241 and 34-02218. 1.58 cfs of this right is limited to use for conveyance losses in delivery of this right. Spring source is also known as Antimony Spring. Sources for this right are North Lava Creek Tributary to Sinks, South Lava Creek Tributary to North Lava Creek and Spring Tributary to North Lava Creek.

These matters are necessary because:

They are recommended in the Director's Report and they 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: Lester W. Broadie

Address: Box 565

City/State: Arco, Idaho

Zip: 83213

Attorney of Record: W.F. Ringert

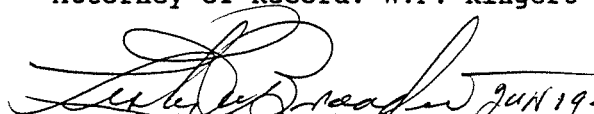
Name: United States through BLM

Dept. of Justice for BLM

Address: 601 Pennsylvania Ave., NW

City/State: Wash., DC 20004

Attorney of Record: R. Lee Leininger/Daria
Zane


Party's Signature Date JUN 19-95

Attorney's Signature Date

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

 1/19/95
Attorney's Signature

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

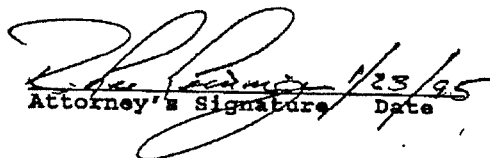
I have read this form and know its contents and that the
statements are true to the best of my knowledge and belief.

Name: Lester W. Broadie
Address: Box 565
City/State: Arco, Idaho
Zip: 83213
Attorney of Record: W.F. Ringert

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

Party's Signature Date

Attorney's Signature Date


Attorney's Signature Date 1/23/95

Court Representative Date
(if necessary)

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

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 January 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:

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

W.F. Ringert, Esquire
P.O. Box 2773
Boise, Idaho 83701

Lester W. Broadie
P.O. Box 565
Arco, Idaho 83213

A. Lyane Krog
Idaho Dept. of Water Resource