

1.25

PROPOSED ELEMENTS OF A 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.

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:

~~Estate of Chester E. Harper~~
~~c/o/ Sherlene Traugher~~
~~Rt. 1 Box 413~~
~~Arco, ID 83213~~

Timothy S. and Karen I. Olson
Rt. 1 Box 23
Moore, ID 83255

Required Statement: AS RECOMMENDED

2. The source of water is: Big Lost River

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: .06 cfs

Required Statement: AS RECOMMENDED

4. The priority date is: May 31, 1894

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: T5N R26E Sec. 4 NWSESE

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: 5/1 - 10/15

Required Statement: AS RECOMMENDED

8. The legal description of the place of use or of the reservation is: T5N R26E Sec. 33 NESW (1.5 acres)

Required Statement: AS RECOMMENDED

9. The annual volume of consumptive use is: 3.7 afy
Required Statement:

10. Other matters necessary to define this water right:
Water delivered through the Moore Diversion, Westside Ditch.

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.

Timothy S. and Karen I. Olson
Rt. 1 Box 23, Moore, Idaho 83255

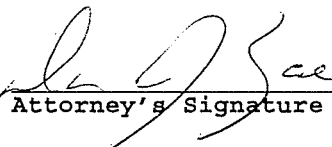
Name: Estate of Chester E. Harper
c/o Sherlene Traugher
Address: Rt. 1, Box 413
City/State: Arco, Idaho
Zip: 83213
Attorney of Record:

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

Karen I. Olson 1/17/95
Timothy S. Olson 1/17/95

Party's Signature Date

Attorney's Signature Date

 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

 1/24/95

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 ~~January 18~~ Jan 24, 1998⁵, 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:

Estate of Chester E. Harper
c/o Sherelene Traugher
Rt.1 Box 413
Arco, ID 83213

Tim Olsén
Box 23
Moore, ID 83255

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

A. Lynne Krogh
Idaho Dept. of Water Resource