

2-1

PROPOSED ELEMENTS OF A WATER RIGHT

1. The name and address of the claimant is:
Six Flags, Inc.
500 Bergeson
Blackfoot, Id 83221

Required Statement: AS RECOMMENDED

2. The source of water is: Pass 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: .5 cfs

Required Statement: AS RECOMMENDED

4. The priority date is: September 13, 1965

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 R25E Sec. 23 SWNE

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: T6N R25E Sec. 1 SENE 25.0

Required Statement: AS RECOMMENDED

9. The annual volume of consumptive use is:

Required Statement: AS RECOMMENDED

10. Other matters necessary to define this water right:
A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works. Use of this right with right no. 34-02390B is limited to a total combined diversion rate of 0.65 cfs, a total combined annual diversion volume of 114 af, a total combined annual consumptive use volume of 62.5 af, and to the irrigation of a combined total of 25 acres in a single irrigation season.

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: Six Flags, Inc.
Address: 500 Bergeson
City/State: Blackfoot, ID
Zip: 83221

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

Attorney of Record:

Six Flags, Inc. [Signature] 1-23-95
Party's Signature Date

A. Lynne Krogh 1/20/95
Attorney's Signature Date

[Signature] 12/24/94
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

A. Lynne Krogh 1/30/95
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 1/30, 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:

Six Flags, Inc.
500 Bergeson
Blackfoot, ID 83221

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

A. Lynne Krog
Idaho Dept. of Water Resource