

2-14

**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	)	AMENDED STANDARD FORM 5
	)	
Case No. 39576	)	SUBCASE NO: 34-10893
	)	
	)	
	)	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.

Instructions 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 if necessary).

7. The period of year when the water is to be used is: 01-01 to 12-31

Required Statement: As recommended in the director's report.

8. The legal description of the place of use or of the reservation is:

T08N R20E S25 LOT 1 (SESW and NESW)

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use. Where all or part of the place of use is identified by government lot no., the legal description is the government lot; quarter-quarter-quarter descriptions are provided in parentheses for the convenience of those who do not have ready access to U.S. government plat maps. The place of use is located in Custer County, Idaho.

9. The annual volume of consumptive use is: DE MINIMUS

Required Statement: As recommended in the director's report.

10. Other matters necessary to define this water right: Not applicable.

These matters are necessary because: Not applicable.

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

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 2/12, 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:

US Dept. of Justice
Env't. & Nat. Resources Div.
550 W. Fort St. Box 33
Boise, ID 83724

Orval C. Beus
2845 Wood Canyon
Soda Springs, ID 83276

A. Lynae Knapp
Signature of person or attorney mailing the form

AJ5856MP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-4-1995
PAGE: A-1

RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE

PERIOD OF USE
FROM TO

MAXIMUM
QUANTITY

BASIS OF CLAIM

SOURCE: GROUNDWATER

34-10893

ORVAL C. BEUS
BOX 2845 WOOD CANYON
SODA SPRINGS ID 83276

08/31/1984 DOMESTIC

01-01 12-31

.04

CFS

BENEFICIAL USE

TOTAL QUANTITY:

.04

CFS

NON-IRRIGATION-USES:
DOMESTIC, 1 HOME
POINT OF DIVERSION:
T08N R20E S25
PLACE OF USE: DOMESTIC

NWSUSE

T08N R20E S25

SWSE