

**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: 34-00312B
	)	
	)	
	)	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).

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 2/21, 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:

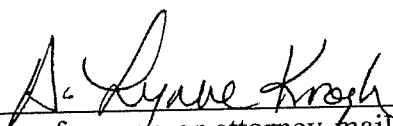
1. Original to:

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

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



Signature of person or attorney mailing the form

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: BIG LOST RIVER						
TRIBUTARY: SINKS						

34-00436

LLOYD A. BINGHAM

P.O. BOX 21

MOORE ID 83255

05/21/1894 IRRIGATION

05-01 10-15

0.8

CFS

DECREED

POINT OF DIVERSION:

T05N R24E S04

PLACE OF USE: IRRIGATION

NWSESE

TOTAL QUANTITY:

0.8

CFS

T05N R26E S33

37.0 ACRES TOTAL

SENW 37.0

REMARKS:

WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE DITCH.

THIS RIGHT IS USED IN COMBINATION WITH RIGHT NO. 34-02426A, AND

USE OF THE TWO RIGHTS IS LIMITED TO A TOTAL COMBINED DIVERSION

RATE OF 1.06 CFS AND TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE

VOLUME OF 92.5 ACRE FEET AND TO THE IRRIGATION OF A COMBINED

TOTAL OF 37 ACRES IN A SINGLE IRRIGATION SEASON.

0.093 CFS OF RIGHT NO. 34-02426A IS LIMITED TO USE FOR

CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT AND RIGHT NO.

34-02426A.

34-00312B

ESTATE OF CHESTER E. HARPER

C/O SHERLENE TRAUGHER

RT. 1 BOX 413

ARCO ID 83213

05/31/1894 IRRIGATION

05-01 10-15

0.06

CFS

DECREED

POINT OF DIVERSION:

T05N R26E S04

PLACE OF USE: IRRIGATION

NWSESE

TOTAL QUANTITY:

0.06

CFS

CONSUMPTIVE USE:

3.7

AFY

T05N R26E S33

1.5 ACRES TOTAL

NESW 1.5

REMARKS:

WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE DITCH.