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**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	)	STANDARD FORM 5
	)	
Case No. 39576	)	SUBCASE NO: 34-00081
	)	
	)	
	)	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).

Idaho Department of Water Resources and the claimant(s) stipulate that water right number 34-00081 is correctly described in the director's report.

Signature and Address of Parties and their Attorney of Record

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

Name: Idaho Dept. of Water Resources
Address: P.O. Box 83720
City/State/Zip: Boise, ID 83720-0098
Attorney of Record: Susan E. Hamlin
A. Lynne Krogh

A. Lynne Krogh 3/6/95
Attorney's Signature Date

Name: Terry & Earl Bruce McAfee
Address: Route 5, Box 50
City/State/Zip: Rupert, ID 83350
Attorney of Record:

Earl Bruce McAfee 3/1/95
Party's Signature Date

Terry McAfee 3-1-95
Party's Signature Date

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

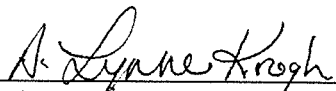
I certify that on 3/6, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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:

Terry & Earl Bruce McAfee
Route 5, Box 50
Rupert, ID 83350



Signature of person or attorney
mailing the form

AJ5856NP

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

DATE: MAR-6-1995
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY	PERIOD OF USE		MAXIMUM QUANTITY	BASIS OF CLAIM
		DATE	PURPOSE OF USE	FROM		
34-00081	TERRY MC AFFEE EARL BRUCE MC AFFEE RT. 5 BOX 50 RUPERT ID 83350	10/28/1919	IRRIGATION	05-01	10-15	1.6 CFS DECREED
SOURCE: NAVARRE CREEK		TRIBUTARY: BIG LOST RIVER				
POINT OF DIVERSION:						
T07N R23E S08		LOT 2 (NAME)		TOTAL QUANTITY: 1.6 CFS		
		S17		CONSUMPTIVE USE: 197.5 AFY		
		NAME				
		NENE				
PLACE OF USE: IRRIGATION						
T07N R23E S05		SESW 20.0		SWSE 13.0		
S08		Lot 2 (NAME) 10.0		SWNE 20.0		Lot 3 (NENW) 4.0
79.0 ACRES TOTAL						NWSE 12.0