

3-15
RECEIVED
MAR 15 1995
Department of Water Resources
Adjudication Bureau

**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: 36-08339
	)	
	)	
	)	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).

1. The name and address of the claimant is:

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

Required Statement: IDWR and the parties stipulate that this is the correct name and address of the claimant.

2. The source of water is: GROUNDWATER

Required Statement: IDWR and the parties stipulate that this is the correct description of the source of water.

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

STOCKWATER	0.01	CFS
WILDLIFE	0.01	CFS
TOTAL QUANTITY:	0.02	CFS

Required Statement: IDWR and the parties stipulate that this is the correct quantity of water.

4. The priority date is: 09/02/1993

Required Statement: IDWR and the parties stipulate that this is the correct priority date.

5. The legal description of the point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T09S R18E S24 NWNENW

Required Statement: IDWR and the parties stipulate that this is the correct description of the point of diversion. The claim is not for an instream flow.

6. The purpose of use is: STOCKWATER
WILDLIFE

NON-IRRIGATION USES: STOCKWATER - 500 CATTLE
WILDLIFE - VARIABLE AMOUNT

Required Statement: IDWR and the parties stipulate that these are the correct purposes of use.

7. The period of year when the water is to be used is:

STOCKWATER	05-01 to 11-01
WILDLIFE	05-01 to 11-01

Required Statement: IDWR and the parties stipulate that these are the correct periods of year.

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

T09S R18E S24 NENW

Required Statement: IDWR and the parties stipulate that this is the correct description of the place of use. The place of use is located in Jerome County, Idaho.

9. The annual volume of consumptive use is: De Minimis.

Required Statement: IDWR and the parties stipulate that this is the correct annual volume of consumptive use.

10. Other matters necessary to define this water right.

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

These matters are necessary because: This right is based upon a permit, and will therefore not be fully perfected until the remaining steps in the statutory appropriation process are completed.

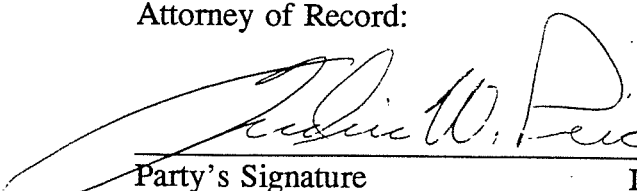
These matters do not fall within the 9 elements listed above because: This limitation arises by virtue of the basis for the claim and not by virtue of any parameters of the use of water.

Signature and Address of Parties and their Attorney of Record

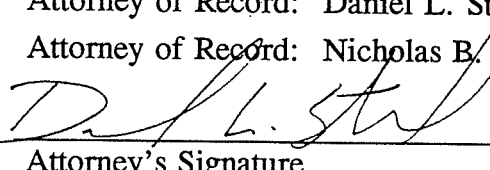
I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Name: US Dept of Interior- BLM
Address: 3380 Americana Terrace
City/State/Zip: Boise, ID 83706
Attorney of Record:

Name: Idaho Dept. of Water Resources
Address: P.O. Box 83720
City/State/Zip: Boise, ID 83720-0098
Attorney of Record: Daniel L. Steckel
Attorney of Record: Nicholas B. Spencer

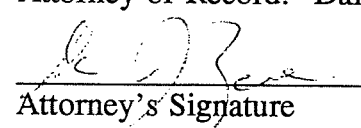


Party's Signature Date 3-14-95



Attorney's Signature Date 3-9-95

Name: United States through
Address: Department of Justice of BLM
601 Pennsylvania Ave. NW
City/State: Washington, DC 20004
Attorney of Record: Daria J. Zane



Attorney's Signature Date 3/14/95

Court Representative (if necessary)

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 Mar 14, 19995, 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:

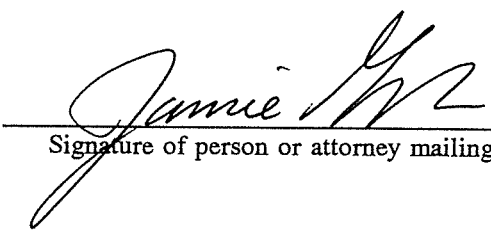
1. Original to:

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:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724-0663



Signature of person or attorney mailing the form

