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JAN 23 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  
Case No. 39576

STANDARD FORM 5

SUBCASE NO: 57-11376

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:

U. S. Department of Interior  
Bureau of Land Management  
Idaho State Office  
3380 Americana Terrace  
Boise, ID 83706

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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2. The source of water is: Spring

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

.02 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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4. The priority date is: 01/01/1875

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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5. The legal description of 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:

T08S R01E S05 SENWSE

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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6. The purpose of use is: Stockwater, Wildlife

Required Statement: The provisions "4964 range cattle" and "variable amount" are not necessary to define the right.

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

01/01 - 12/31

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

Stockwater  
T08S R01E S05 NWSE

All POU's are located in Owyhee County.

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

Required Statement: This accurately describes this element of the water right.

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10. Other matters necessary to define this water right:

These matters are necessary because: The remark originally included in the Director's Report is not necessary to define the right.

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

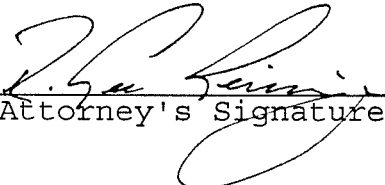
Signature and Address of Parties and their Attorney of Record  
(attach additional page if necessary)

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

Name of Objector:

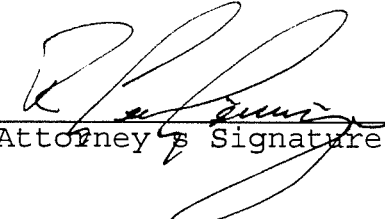
Name: United States through  
Dept. of Justice for BLM  
Address: 601 Pennsylvania Ave., NW  
City/State: Washington, DC 20004  
Attorney of Record: R. Lee Leininger\Daria Zane\William Ferry

\_\_\_\_\_  
Signature Date

  
Attorney's Signature Date 12/14/95

Name of Claimant:

Name: United States through  
Dept. of Justice for BLM  
Address: 601 Pennsylvania Ave., NW  
City/State: Washington, DC 20004  
Attorney of Record: R. Lee Leininger\Daria Zane\William Ferry

  
Attorney's Signature Date 12/14/95

AJ5856NP

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

DATE: OCT-13-1992  
PAGE: A-1314

| RIGHT<br>NUMBER | NAME & ADDRESS | PRIORITY<br>DATE | PURPOSE OF USE | PERIOD OF USE<br>FROM TO | MAXIMUM<br>QUANTITY | BASIS OF CLAIM |
|-----------------|----------------|------------------|----------------|--------------------------|---------------------|----------------|
|-----------------|----------------|------------------|----------------|--------------------------|---------------------|----------------|

SOURCE: SPRING

TRIBUTARY: SINKS

57-11376

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

01/01/1875 STOCKWATER

01-01 12-31

.02

CFS

BENEFICIAL USE

TOTAL QUANTITY:

.02

CFS

NON-IRRIGATION-USES:  
STOCKWATER, 4964 RANGE CATTLE  
POINT OF DIVERSION:  
T08S R01E S05  
PLACE OF USE: STOCKWATER

NWSE

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING  
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY  
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.  
BLM RECORD ID = 5701680018

57-11377

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

01/01/1875 STOCKWATER

01-01 12-31

.02

CFS

BENEFICIAL USE

TOTAL QUANTITY:

.02

CFS

NON-IRRIGATION-USES:  
STOCKWATER, 4964 RANGE CATTLE  
POINT OF DIVERSION:  
T08S R01E S05  
PLACE OF USE: STOCKWATER

NWSE

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING  
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY  
USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.  
BLM RECORD ID = 5701680019

## 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 January 13, 1996, 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, ID 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, MSC 033  
Boise, ID 83724

\_\_\_\_\_  
Signature of person or attorney  
mailing the form