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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, AMENDED
	)	
Case No. 39576	)	SUBCASE NO: 34-00469
	)	
	)	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:

Aslett Ranches
P.O. Box B
Twin Falls, ID 83303

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

2. The source of the water is:

Source: Warm Springs Creek Tributary: Big Lost River

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

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

3.2 CFS-/Irrigation/~~Decreed~~ .02 CFS-/Stockwater

* Total Quantity, 3.2 cfs

The appropriator is entitled to the amount of water described above for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described above.

The portion of this right for stockwater purposes may be diverted so long as the amount of water diverted at the point of diversion for stockwater purposes does not constitute unreasonable ^{water} ~~water~~ and does not conflict with the public interest, as determined by the director.

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

4. The priority date is: 11/01/1892

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

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

POINT OF DIVERSION: T08N R22E S34 SWNESE

Water is delivered through upper fish hatchery canal.

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

6. The purpose of use is:

Irrigation Stockwater

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

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

05-01 to 10-15/Irrigation
10/16 to 04-30/Stockwater

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

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

T07N R23E S06	Lot 3 (NENW)	42.0	Lot 4 (NWNW)	41.0
	Lot 8 (SWNW)	5.0	SENW	5.0
T08N R23E S31	NESW	40.0	Lot 4 (SWSW)	40.0
	SESW	40.0		

213.0 Acres Total

This right is limited to the irrigation of 213.0 acres within the place of use described above in a single irrigation season.

Required Statement: As recommended in director's report, except "Lot 5" of T07N R23 E S06, is now accurately described as "Lot 8". This is not a change of the physical location of this lot.

9. The annual volume of consumptive use is:

* Use of this right with right No. 34-00471 is limited to a total combined annual consumptive use volume of 532.5 af, and to the irrigation of a combined total of 213 acres in a single irrigation season: *move to element 8*

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

10. Other matters necessary to define this water right.

These matters are necessary because: Not Applicable

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

Signatures and Address of the 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.

Claimant:

Name: Aslett Ranches
Address: P.O. Box B
City/State/Zip: Twin Falls, ID 83303
Attorney of Record:

Party's Signature Date

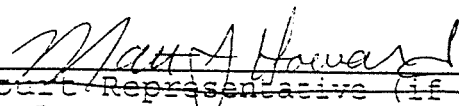
Attorney's Signature Date

Objector:

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

 11/24/95

Attorney's Signature Date



Court Representative (if necessary)
IDW

MATT J. Howard
Deputy Attorney General

Date

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
	SUMMIT		SAWM SPRINGS CREEK			
			TRIBUTARY: BIG LOST RIVER			

34-00469

ASLETT RANCHES

PO BOX B

TWIN FALLS ID 83303

11/01/1892 IRRIGATION

05-01 10-15

3.2 CFS DECREE

STOCKWATER 10-16 04-30

.02 CFS

TOTAL QUANTITY:

3.2 CFS

NON-IRRIGATION USES:

STOCKWATER 350 RANGE CATTLE

POINT OF DIVERSION:

T08N R22E S34

SW1/4SE

PLACE OF USE: IRRIGATION

T07N R23E S06 Lot 3 (NENW)42.0

T08N R23E S31

NESW 40.0 Lot 4 (NENW)41.0

213.0 ACRES TOTAL

Lot 5 (SESW) 5.0

Lot 6 (SESW) 40.0

SESW 5.0

SESW 40.0

SESW 40.0

SESW 40.0

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REMARKS: THE APPROPRIATOR IS ENTITLED TO THE AMOUNT OF WATER DESCRIBED ABOVE FOR STOCKWATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED ABOVE. THE PORTION OF THIS RIGHT FOR STOCKWATER PURPOSES MAY BE DIVERTED SO LONG AS THE AMOUNT OF WATER DIVERTED AT THE POINT OF DIVERSION FOR STOCKWATER PURPOSES DOES NOT CONSTITUTE UNREASONABLE WASTE AND DOES NOT CONFLICT WITH THE PUBLIC INTEREST, AS DETERMINED BY THE DIRECTOR.

USE OF THIS RIGHT WITH RIGHT NO. 34-00471 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 532.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON.

WATER IS DELIVERED THROUGH UPPER FISH HATCHERY CANAL.

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 _____, 199__, 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 SRBA Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to (insert names and addresses):

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, Idaho 83720-0098

U. S. Department of Justice
Environment and Natural Resource Division
550 W. Fort St., MSC 033
Boise, Idaho 83724 - 0663

Steve Aslett
Aslett Ranches
P.O. Box B
Twin Falls, ID. 83303

Signature of person mailing the form