

MAR 1 1 1996

Department of Water Resources
Adjudication Bureau

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: 57-10856

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:

United States of America,
Acting through USDA, Farmers Home Administration
3232 Elder Street
Boise, ID 83705

Required Statement: The remark as originally recommended was incorrect. The change reflects an accurate description of the element.

2. The source of water is: Succor Creek

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:

.35 CFS

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

4. The priority date is: 03/15/1959

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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:

T03N R06W S14 SENENE

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

6. The purpose of use is: Irrigation

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

03/15 - 11/15

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

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

T03N R06W S14 NENE

All POU's are located in Owyhee County.

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

9. The annual volume of consumptive use is:

61.3 AFY

Required Statement: AS RECOMMENDED IN THE DIRECTOR'S REPORT

10. Other matters necessary to define this water right:

These matters are necessary because:

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

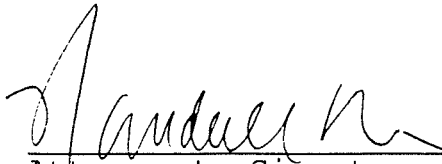
I have read this form and know its contents and that the
statements are true to the best of my knowledge and belief.

Name of Objector:

Name: United States Acting through
USDA, Farmers Home Administration
Address: 3232 Elder Street
City/State: Boise, ID 83705
Attorney of Record: Randall J. Bramer

Signature

Date



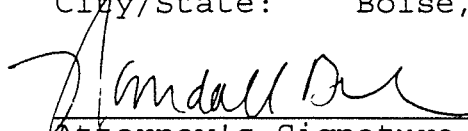
Attorney's Signature

3/7/96

Date

Name of Claimant:

Name: United States, Acting through
USDA, Farmers Home Administration
Address: 3232 Elder Street
City/State: Boise, ID 83705



Attorney's Signature

3/7/96

Date

INSTRUCTIONS FOR MAILING

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 7, 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:

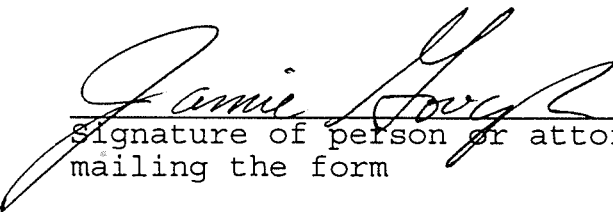
1. Original (By Facsimile) to:

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