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MAY - 8 2003

Department of Water Resources

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	)	Subcase No. 79-10657
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	AMENDED CLAIM
	)	FOR DOMESTIC & STOCKWATER RIGHTS

This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the 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 Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 5/7/03
David L. Negri Date

IDWR CONCURRENCE:

Roxanne Brown 4/30/03
Roxanne Brown Date

CERTIFICATE OF MAILING

I certify that on ~~January~~ 5/2, 2003, I mailed the original and copies of this form, including all attachments, 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. Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724



David L. Negri

Right Number: 79-10657

Name and Address: UNITED STATES OF AMERICA ACTING THROUGH THE
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724

Source: FISH CREEK Tributary: WHITEBIRD CREEK, NORTH FORK

Quantity: .02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 05-01-1886

Diversion Point: T29N R03E ~~S24~~ S16 NENE (Instream Beginning) Idaho
S28 NENE (Instream Ending) Idaho

Purpose and
Period of Use: Purpose of Use Period of Use Quantity
Stockwater 05-01 TO 10-31 .02 CFS

Place of Use: Stockwater Within Idaho County
T29N R03E S16 NENE SENE
NESE SESE
S21 NENE SENE *RB Dr*
SESE
S22 NWSW SWSW
S28 NENE

Other Provisions Necessary for Definition / Administration of this Water Right:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR
THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER
RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION
OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

FOREST SERVICE RECORD ID = 0117 17060209 01 0351