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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. 74-14255
	)	
Case No. 39576	)	**STANDARD FORM 5**
	)	
	)	**AMENDED CLAIM**
		FOR DOMESTIC & STOCKWATER RIGHTS

This form is used to report the stipulated elements of one water 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 the facts, date, expert opinions and law supporting 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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT /OBJECTOR:
United States on behalf of the
Bureau of Land Management

Larry C. Brown C/C FWP 6/24/02
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

OBJECTOR:
State of Idaho

David J. Barber 6/28/2002
David J. Barber Date
Deputy Attorney General
Office of the Attorney General

IDWR CONCURRENCE:

Roxanne Brown 6/18/02
Roxanne Brown Date

IDWR CONCURRENCE:

_____ _____
Date

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

RIGHTS FROM: SOURCE: HAYNES CREEK TRIBUTARY: LEMHI RIVER

RIGHT NUMBER: 74-14255

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: HAYNES CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.02 CFS FWP

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

PRIORITY DATE: ~~01/01/1876~~ **06/28/1934** 2/13 RB CK 3

POINT OF DIVERSION:

			Within LEMHI County
T19N R23E	~~S10~~	~~NWNWNW~~	~~(INSTREAM BEGINNING POINT)~~
	S03	**SWSWSW**	**(INSTREAM BEGINNING POINT)**
	S02	~~NESWNE~~	~~(INSTREAM ENDING POINT)~~
		SENWNE	**(INSTREAM ENDING POINT)**

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE: STOCKWATER

			Within LEMHI County
T19N R23E	S02	**NWNE**	SWNE
		SENW	**NESW**
		NWSW	~~NWSE~~
	S03	**SWSW**	SESW
		NESE	SWSE
		SESE	
	S10	~~NENW~~	NWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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. I.C. SECTION 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7404681689
~~STOCKWATER, 440 RANGE CATTLE, WILDLIFE VAR. AMT..~~

FWP RB CK
1/3 2013

CERTIFICATE OF MAILING

I certify that on June 24 28 nd 03, 2002, 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, Idaho 83303-2707

2. Copy to:

   Idaho Department of Water Resources
   Adjudication Bureau
   1301 North Orchard Street
   Boise, Idaho 83706

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

3. Copies to all parties to the subcase (insert names and addresses):

   U.S., Department of Justice
   Environment and Natural Resources Division
   General Litigation Section
   550 West Fort Street, MSC 033
   Boise, Idaho 83724

   David J. Barber
   Deputy Attorney General
   Office of the Attorney General
   State of Idaho
   P. O. Box 44449
   Boise, Idaho 83711-4449

Signature of person or attorney mailing the form