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DEC 18 2002

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. 82-10310             |
|                | ) |                                  |
| 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 initializing each of the attached pages.

**CLAIMANT/OBJECTOR:**

United States on behalf of the  
USDA Forest Service

David L. Negri      12/16/02  
David L. Negri      Date

**IDWR CONCURRENCE:**

Roxanne Brown      12/17/02  
Roxanne Brown      Date

### CERTIFICATE OF MAILING

I certify that on Dec. 16, 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, 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

  
\_\_\_\_\_  
Signature of person mailing documents

Right Number: 82-10310

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

Source: BULLY CREEK Tributary: CLEARWATER RIVER, SOUTH FOR

Quantity: .02 CFS

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

Priority Date: 05-01-1897

Diversion Point: T28N R03E S02 NWNE (Instream Beginning) Idaho  
T29N ~~R03E~~ R04E S19 SENE (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  
T28N R03E S02 NENE NWNE  
T28N R03E S24 SESE  
S25 NENE NWNE  
SWNE NESW  
SESW NWSE  
S35 SESE  
S36 NENW SWNW  
SENW NWSW  
SWSW  
T29N ~~R03E~~ S19 SENE  
R04E SWNW  
NWSW SWSW  
NWSE

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 17060305 01 2351