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APR 29 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

Case No. 39576

) Subcase No. 37-20192

) **AMENDED**

) **STANDARD FORM 5**

) **AMENDED CLAIM**

) **For Domestic and Stockwater Rights**

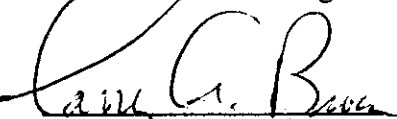
This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge 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 Basin 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.

Pursuant the terms of the *Stipulation and Joint Motion for Order Approving Stipulation* filed on August 29, 2002, such stipulation being incorporated into this *Standard Form 5*, the parties and IDWR agree and stipulate that the elements of the resulting water right should be described per the attached. The parties and IDWR have indicated their concurrence by initialing each of the attached pages.

**CLAIMANT/OBJECTOR:**

United States on behalf of the  
Bureau of Land Management



Larry A. Brown *LAW* Date  
Attorney, U.S. Department of Justice  
Environment and Natural Resources Div.

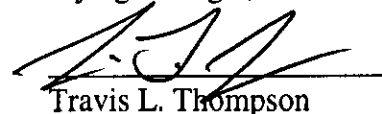
**OBJECTORS:**

Karl U. (Bud) Bedke  
Scott Bedke  
Michael Poulton  
Pickett Ranch and Sheep Co.  
Western Stockgrowers Assn.

Joe Tugaw  
Gary Poulton

**RESPONDENT:**

Flying Triangle, Inc.



Travis L. Thompson Date  
of Attorneys for Objectors and Respondent

4/22/03  
Date

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

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: CLOVER CREEK

RIGHT NUMBER: 37-20192

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: SPRING

TRIBUTARY: CLOVER CREEK

QUANTITY: 0.02 CFS

*Fwp M Jcs*

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

PRIORITY DATE: ~~01/01/1879~~ 04/17/1926

\*\*\*\*\*  
\* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. \*  
\* \*  
\* THIS WATER RIGHT IS ~~also~~ CLAIMED BASED ON FEDERAL LAW \*  
\* WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN \*  
\* EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC \*  
\* WATER RESERVE 107. \*  
\*\*\*\*\*

POINT OF  
DIVERSION: T04S R13E S33 ~~SWSWNE~~ SWSWNW Within GOODING County

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 GOODING County  
T04S R13E S33 ~~NENE~~ SWNW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - ~~BENEFICIAL USE~~ FEDERAL RESERVE  
BLM RECORD ID = 3705689019

## CERTIFICATE OF MAILING

I certify that on Apr. 24, 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, Idaho 83303-2707

2. Copy to:

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

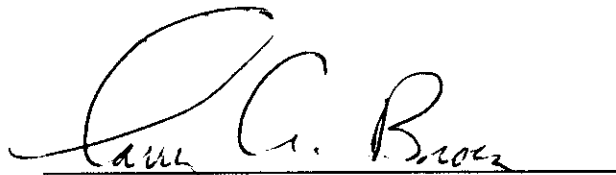
Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P. O. Box 44449  
Boise, Idaho 83711-4449

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 Div.  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

Norman M. Semanko  
Barker, Rosholt & Simpson, LLP  
P.O. Box 2139  
Boise, Idaho 83701-2139



Signature of person or attorney mailing the form