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Department of Water Resources

Names of Parties Serving Document:

UNITED STATES OF AMERICA

PICKETT RANCH AND SHEEP CO.
JOE TUGAW

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ISB # 4761 (NMS)
ISB # 6168 (TLT)

**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 Numbers:
) See Attachment A - Column 1
)
)
)

) **NOTICE OF CLARIFICATION**
)
)

NOTICE OF CLARIFICATION

Page 1

COMES NOW the United States of America ("United States"), Pickett Ranch and Sheep Company and Joe Tugaw ("Private Parties"), by and through their respective attorneys of record, and hereby submit this Notice of Clarification in the subcases listed on Attachment A - Column 1.¹

On August 29, 2002 the United States and Private Parties filed a *Stipulation and Joint Motion for Order Approving Stipulation* ("Stipulation") in several thousand subcases identified in Exhibits A through G of that Stipulation. Contained within Exhibit A and E of the Stipulation are subcases in Basin 47 involving the instant parties.

Pursuant to the terms of the Stipulation, the United States, Private Parties and IDWR are in agreement and will stipulate in Standard Forms 5 ("SF5's") that certain claims will be split, removing the original claim number and adding two or more new claim numbers that would limit the use of the claims to a total combined diversion rate and quantity. The new claim numbers do not appear in the Stipulation.

The United States and Private Parties wish to clarify that the terms and conditions of the Stipulation shall be applied to the new water right claim numbers identified in Attachment A. Attachment A - Column 1 identifies the original claim numbers that are at issue. The terms and conditions of the Stipulation as they relate to Exhibit A of the Stipulation shall apply to the water right claim numbers listed in Attachment A - Column 2. The terms and conditions of the Stipulation as they relate to Exhibit E of the Stipulation shall apply to water right claim numbers listed on Attachment A - Column 3.

¹This Notice is being filed in the original subcase numbers identified on Attachment A - Column 1 at this time. This Notice will also be filed in the subcases listed on Attachment A - Columns 2 and 3 at the time the SF5 Amended Notices of Claims are filed with the Court.

State of Idaho)
) ss.
County of Ada)

DAVID L. NEGRI, duly sworn, upon oath, deposes and says:

That I am the party filing this *Notice*, and/or that I am the attorney for the party, and that I have read this *Notice*, know its contents and believe that the statements are true to the best of my knowledge.

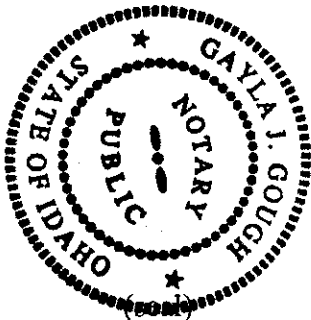
David L. Negri

David L. Negri
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724
(208) 331-5943

Counsel for the United States of America

Subscribed and sworn before me on:

June 4 2003



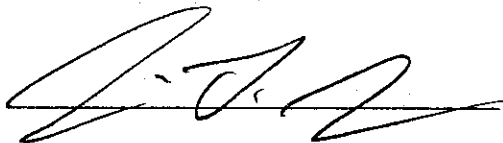
Gayla J. Gough

Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission expires: 11-17-2004

State of Idaho)
) ss.
County of Twin Falls)

TRAVIS L. THOMPSON, duly sworn, upon oath, deposes and says:

That I am the party filing this *Notice*, and/or that I am the attorney for the party, and that I have read this *Notice*, know its contents and believe that the statements are true to the best of my knowledge.



Travis L. Thompson, Esq.
Barker Rosholt & Simpson LLP
233 Second St. North, Suite D
Twin Falls, Idaho 83301
(208) 733-0700

Counsel for the Private Parties

Subscribed and sworn before me on

June 2, 2003



Crystal Winney Vincent
(name of notary)

Notary Public for: Idaho

Residing at:

Twin Falls

Commission expires:

4-8-2004

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4 day of June 2003, I served a true and correct copy of the foregoing **Notice of Clarification** by depositing a copy thereof in the U.S. mail, postage prepaid, or by other service where indicated, upon the following:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

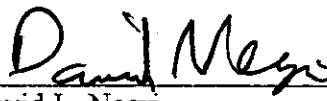
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Counsel for Pickett Ranch and Sheep Company and Joe Tugaw



David L. Negri

ATTACHMENT A

Basin No.	Column 1 (Original Claim #'s)	Column 2 (New FS Claim #'s)	Column 3 (New Pickett Claim #'s)
47	14994	17065	17066
47	14997	17067	17068
47	15031	17069	17070
47	15033	17071	17072
47	15038	17073	17074
47	15146	17075	17076
47	15205	17077	17078
47	16664	17079	17080
47	16665	17081	17082
47	16666	17083	17084
47	16721	17085	17086
47	14945	17087	17088