RECEIVED
JUN 17 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. 47-16665
	)	(split claim nos. 47-17081 and 47-17082)
	)	
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 the facts, data, 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.

Pursuant to 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 rights should be described per the attached. The parties and IDWR agree and stipulate that this claim shall be "split" into two claims, claim numbers 47-17081 and 47-17082, and the use of both claims will be limited to a total combined diversion rate of .02 cfs and a total combined quantity of 13,000 gallons per day. The parties and IDWR have indicated their concurrence by initialing each of the attached pages. The parties and IDWR further agree and stipulate that water right 47-16665 should be disallowed.

CLAIMANT:
United States on behalf of the
USDA Forest Service

David L. Negri 6/13/03
David L. Negri Date

OBJECTOR:
Pickett Ranch & Sheep Company

Norman M. Semanko 6/12/03
Norman M. Semanko Date
Travis L. Thompson

IDWR CONCURRENCE:

Roxanne Brown 6/16/03
Roxanne Brown Date

CERTIFICATE OF MAILING

I certify that on June 17, 2003, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original to:

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

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

Copies to all parties to the subcase:

Norman M. Semanko
Travis L. Thompson
Barker, Rosholt, & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139
Counsel for the Pickett Ranch and Sheep Co.

David Nagy
Signature of person mailing documents

Right Number: 47-17081

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

Source: ROCK CREEK, LITTLE FOR Tributary: ROCK CREEK, THIRD FORK

Quantity: .02 CFS

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.47-17082 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

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

RB 777 ON

Priority Date: 06-12-1905

Diversion Point:			
T14S R19E S21	SWSW	(Instream Ending) Cassia
S29	SWSW	(Instream Beginning) Cassia
	SWSWSE	(Instream Ending) Cassia
S32	SENWNE	(Instream Beginning) Cassia

Purpose and Period of Use:

Purpose of Use	Period of Use	Quantity
Stockwater	06-01 TO 08-31	.02 CFS

Place of Use: Stockwater — Within Cassia County

T14S R19E S20	SWSE	SESE
S21	SWSW	
S29	NWNE	SWNE
	NENW	NWNW
	SWSW	SESW
	NWSE	SWSE
S30	NENE	
S32	NWNE	NENW
	NWNW	

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

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND PICKETT RANCH AND SHEEP COMPANY, FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT NO: 289179; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO 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 = 0414 17040212 21 0160

RB
727
ON

Right Number: 47-17082

Name and Address: PICKETT RANCH & SHEEP COMPANY
1650 S 568 W
OAKLEY, ID 83346

Source: ROCK CREEK, LITTLE FOR Tributary: ROCK CREEK, THIRD FORK

Quantity: .02 CFS

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.47-17081 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

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

RBB DN

Priority Date: 06-11-1905

Diversion Point:			
T14S R19E S21	SWSW	(Instream Ending) Cassia
S29	SWSW	(Instream Beginning) Cassia
	SWSWSE	(Instream Ending) Cassia
S32	SENWNE	(Instream Beginning) Cassia

Purpose and Period of Use:

Purpose of Use	Period of Use	Quantity
Stockwater	06-01 TO 08-31	.02 CFS

Place of Use: Stockwater		Within Cassia County
T14S R19E S20	SWSE	SESE
S21	SWSW	
S29	NWNE	SWNE
	NENW	NWNW
	SWSW	SESW
	NWSE	SWSE
S30	NENE	
S32	NWNE	NENW
	NWNW	

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

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