

United States
Department of
Agriculture

Forest
Service

Boise Adjudication Team
Recreation and Lands
Intermountain Region

161 E. Mallard Drive
Suite A
Boise, ID 83706

June 13, 2003

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

RECEIVED

JUN 17 2003

Department of Water Resources

Re: Notice of Clarification - Basin 47 - Forest Service and Western Stockgrowers Association

Dear Clerk:

On April 21, 2003 the United States and Western Stockgrowers Association filed a Notice of Clarification ("Notice") in subcases 47-14999 et al. At that time the Notice was for the subcases listed in Attachment A - Column 1, the root rights at issue.

On April 28, 2003 the parties filed SF5's that split the root rights into two new rights. The attached Notice of Clarification is now being filed in those new subcases listed on Attachment A - Columns 2 and 3.

Copies are included for filing and for your files.

If you have any questions please give me a call at 208-331-5942.

Sincerely,



Jamie Gough
Paralegal Specialist
USDA Forest Service

cc: David Negri, Travis Thompson, IDWR

Enclosure(s)

RECEIVED

JUN 17 2003

Department of Water Resources

Names of Parties Serving Document:

UNITED STATES OF AMERICA

WESTERN STOCK GROWERS
ASSOCIATION ET AL.

Attorneys' Names and Addresses:

THOMAS L. SANSONETTI
Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

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; facsimile (208) 387-0842
ISB# 6697

NORMAN M. SEMANKO
TRAVIS L. THOMPSON
Barker Rosholt & Simpson LLP
205 N. 10th Street, Suite 520
P.O. Box 2139
Boise, ID 83701-2139
(208) 336-0700
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 - Columns 2 and 3
)
)
)
)
)
)
)

NOTICE OF CLARIFICATION

NOTICE OF CLARIFICATION

Page 1

COMES NOW the United States of America ("United States") and Western Stock Growers Association et al. ("WSG"), by and through their respective attorneys of record, and hereby submit this Notice of Clarification in the subcases listed on Attachment A - Columns 2 and 3.

On August 29, 2002 the United States and WSG 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.

On March 21, 2003 the United States and WSG filed a Notice of Clarification ("Notice") in the original subcase numbers listed on Attachment A - Column 1. In that Notice the United States and WSG stated that a second Notice of Clarification would be filed following the submittal of SF5's in the subcases listed on Attachment A, Columns 2 and 3.

Pursuant to the terms of the Stipulation, the United States, WSG and IDWR filed Standard Forms 5 ("SF5's") on March 28, 2003 splitting the original claim number and adding two or more new claim numbers that 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 WSG 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. 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.



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



Travis L. Thompson, Esq.
Barker Rosholt & Simpson LLP
205 N. 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139

Counsel for the Western Stock Growers Assoc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13 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

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

Norman M. Semanko
Travis L. Thompson
Barker, Rosholt, & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139
Counsel for Western Stock Growers Association et al.



David L. Negri

ATTACHMENT A

Basin No.	Column 1 (Original Claim #'s)	Column 2 (New FS or BLM #'s)	Column 3 (New WSG #'s)
47	14999	16873	16874
47	15001	16875	16876
47	15002	16877	16878
47	15004	16879	16880
47	15005	16881	16882
47	15028	16883	16884
47	15045	16885	16886
47	15048	16887	16888
47	15051	16889	16890
47	15052	16891	16892
47	15054	16893	16894
47	15055	16895	16896
47	15056	16897	16898
47	15058	16899	16900
47	15060	16901	16902
47	15061	16903	16904
47	15062	16905	16906
47	15063	16907	16908
47	15075	16909	16910
47	15077	16911	16912
47	15082	16913	16914
47	15083	16915	16916
47	15086	16917	16918
47	15090	16919	16920
47	15091	16921	16922
47	15092	16923	16924
47	15093	16925	16926
47	15095	16927	16928
47	15106	16929	16930
47	15107	16931	16932
47	15108	16933	16934
47	15109	16935	16936
47	15110	16937	16938
47	15117	16939	16940
47	15119	16941	16942
47	15128	16943	16944
47	15131	16945	16946
47	15132	16947	16948
47	15135	16949	16950

Basin No.	Column 1 (Original Claim #'s)	Column 2 (New FS or BLM #'s)	Column 3 (New WSG #'s)
47	15136	16951	16952
47	15137	16953	16954
47	15138	16955	16956
47	15139	16957	16958
47	15140	16959	16960
47	15142	16961	16962
47	15143	16963	16964
47	15144	16965	16966
47	15147	16967	16968
47	15148	16969	16970
47	15149	16971	16972
47	15151	16976	16977
47	15152	16974	16975
47	15153	16978	16979
47	15155	16980	16981
47	15164	16982	16983
47	15177	16984	16985
47	15178	16986	16987
47	15179	16988	16989
47	15195	16990	16991
47	15196	16992	16993
47	15197	16994	16995
47	15199	16996	16997
47	15200	16998	16999
47	15204	17000	17001
47	16429	17002	17003
47	16648	17004	17005
47	16649	17006	17007
47	16651	17008	17009
47	16652	17010	17011
47	16655	17012	17013
47	16677	17014	17015
47	16678	17016	17017
47	16679	17018	17019
47	16680	17020	17021
47	16683	17022	17023
47	16684	17024	17025
47	16686	17026	17027
47	16687	17028	17029
47	16688	17030	17031
47	16692	17032	17033
47	16693	17034	17035
47	16694	17036	17037
47	16702	17038	17039

Basin No.	Column 1 (Original Claim #'s)	Column 2 (New FS or BLM #'s)	Column 3 (New WSG #'s)
47	16704	17040	17041
47	16710	17042	17043
47	16722	17044	17045
47	16728	17048	17049
47	16733	17050	17051
47	16736	17052	16863
		and	
		16864	
47	16740	16866	16865
47	16747	17046	17047