

RECEIVED

JUL - 1 2008

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. 51-12981

) (split from 51-10380)

) 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.

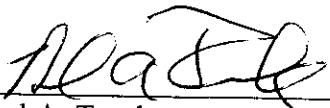
The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

This right, along with right 51-12980, are split from and constitute the whole of right 51-10380. All parties agree that this split right represents the portion of the original right appurtenant to land belonging to the owner named herein. The original right is now superseded by this right and right 51-12980.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

J & J Ranches/John B. Urquidi


Paul A. Turcke
Attorney

7/1/03
Date

CLAIMANT/OBJECTOR:

J.R. Simplot Self Declaration Revocable
Trust


Albert P. Barker
Attorney

6/30/03
Date

IDWR Concurrence:


Roxanne Brown
Senior Water Resource Agent

7/2/03
Date


Garrick L. Baxter
Deputy Attorney General for IDWR

7/2/03
Date

CERTIFICATE OF MAILING

I certify that on 7/2, 2003, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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

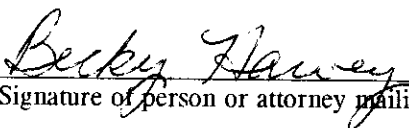
via fax

2. Copies to:

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

Paul A. Turcke
Moore, Smith, Buxton & Turcke, Chartered
225 North 9th Street, Suite 420
Boise, ID 83702

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098



Signature of person or attorney mailing the form

11/19/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 51-12981
NAME AND ADDRESS: JOHN B URQUIDI
J & J RANCHES
HC 85 BOX 115
BRUNEAU ID 83604-9703

SOURCE: JIMMY CAPPEL SPRING
QUANTITY: 0.24 CFS

TRIBUTARY: SINKS

USE OF THIS RIGHT WITH RIGHT NO. 51-12980 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.24 CFS AND SHALL NOT EXCEED 13,000 GALLONS PER
DAY.

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

PRIORITY DATE: 12/31/1947

POINT OF DIVERSION:

T10S R04E S32 SENESW Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.24 CFS

PLACE OF USE: STOCKWATER Within OWYHEE County
~~T10S R04E S29~~ ~~SESW~~
T10S R04E S33 SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO
THE TERMS AND CONDITIONS OF THE RELEASE AND SETTLEMENT AGREEMENT ENTERED INTO
ON JUNE 12, 2003 BETWEEN THE J.R. SIMPLOT SELF-DECLARATION REVOCABLE TRUST AND
J&J RANCHES, A COPY OF WHICH IS CONTAINED IN THE IDWR WATER RIGHT FILE NOS.
51-12980, 51-12981; THE PROVISIONS OF SUCH STIPULATION AND RELEASE 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

JB RJ
PAT APB

HP LaserJet 3100
Printer/Fax/Copier/Scanner

SEND CONFIRMATION REPORT for
WATER RESOURCES
2083275400
Jul-2-03 10:34AM

Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
503	7/ 2 10:32AM	2'00"	12087362121	Send	9/ 9	EC144	Completed

Total 2'00" Pages Sent: 9 Pages Printed: 0



DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 87780, Boise, Idaho 83720-0080
Phone: (208) 327-7900 FAX: (208) 327-7900

www.idwater.com
Linda A. Johnson
Director

FAX Transmittal Cover Sheet

Number of pages including this one 1

Date 7/2/03
To: SRBA Court
Fax No: _____
From: Dorey Harvey
Fax No: _____
Phone No: 507-788
Subject: SF S: 400 51-1298C 9 51-1298

In Addition: There is now a way to research water rights over the Internet. The system is a graphical or text query system and can be accessed from the EDWR home page:

<http://www.idwr.com/idwr>

From this link, select "Snake River Basin Adjudication" toward the lower left hand of the screen. Then select "Map" or "Text" on the next page.

"TEXT" lets you search water rights via Name, Legal, Source, etc.

Enter in the information you know. Information can be entered under more than one tab. After you have completed entering your information, select "Search".

"MAP" allows you to search water rights graphically.

Use the tools on the left side of the screen to Zoom in and out. To find out what each button does, hold the cursor over the button for a second. To the Right side of the screen are different layers that can be turned on or off. As you zoom in to your point of interest, different layers will appear on the right side of the screen.

A HELP function is available within the application or you can call 1-800-451-4129 or (208)327-7900 for help.