

JUL 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

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Subcase No. 63-31404

)

Case No. 39576

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Standard Form 5

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)

AMENDED CLAIM

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FOR DOMESTIC & STOCKWATER RIGHTS

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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 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.

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

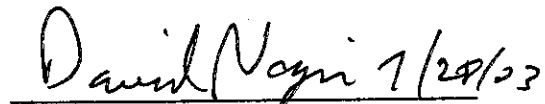
CLAIMANT:


Rex E. Lanham

Date

OBJECTOR:

United States on behalf of the
USDA Forest Service



David L. Negri

Date

IDWR CONCURRENCE:


Roxanne Brown

Date

ATTORNEY FOR IDWR:


Date

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

RIGHT NUMBER: 63-31404

NAME AND ADDRESS:

REX E LANHAM
2630 HWY 21
BOISE ID 83716

SOURCE:

INDIAN CREEK
SPRING
UNNAMED STREAM

Tributary: MORES CREEK
Tributary: DAGGETT CREEK
Tributary: DAGGETT CREEK

QUANTITY:

0.02 CFS

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

PRIORITY DATE:

01/01/1911

POINT OF DIVERSION:

T04N R04E S4 NENWSW Begin of Stream Flow Within BOISE County
T04N R04E S4 SWNWSW End of Stream Flow Within BOISE County
T04N R04E S4 NESESW Begin of Stream Flow Within BOISE County
T04N R04E S5 SESESE Begin of Stream Flow Within BOISE County
T04N R04E S8 SWSWNE Begin of Stream Flow Within BOISE County
T04N R04E S8 SENWSE End of Stream Flow Within BOISE County
T04N R04E S8 NWSESE End of Stream Flow Within BOISE County
T04N R04E S9 NENWNE Begin of Stream Flow Within BOISE County
T04N R04E S9 SENWNE End of Stream Flow Within BOISE County
~~T04N R04E S9 SWSENE Begin of Stream Flow Within BOISE County~~
T04N R04E S9 SESWSW End of Stream Flow Within BOISE County
T04N R04E S9 SESESW End of Stream Flow Within BOISE County
T04N R04E S9 NENESE Begin of Stream Flow Within BOISE County
T04N R04E S9 NWNWSE Begin of Stream Flow Within BOISE County
T04N R04E S9 SESWSE Within BOISE County
T04N R04E S15 SESENW End of Stream Flow Within BOISE County

CS
PN

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 BOISE County
T04N R04E S04 NWSW
T04N R04E S04 SESW
T04N R04E S05 SESE
T04N R04E S08 NENE
T04N R04E S08 SWNE
T04N R04E S08 SENE
T04N R04E S08 NESE
T04N R04E S08 NWSE
T04N R04E S08 SESE
T04N R04E S09 NWNE
~~T04N R04E S09 SENE~~

T04N R04E S09 NENW
T04N R04E S09 NWNW
T04N R04E S09 SWNW
T04N R04E S09 NESW
T04N R04E S09 NWSW
T04N R04E S09 SWSW
T04N R04E S09 SESW
T04N R04E S09 NESE
T04N R04E S09 NWSE
T04N R04E S09 SWSE
T04N R04E S09 SESE
T04N R04E S15 NWNW
T04N R04E S15 SENW

CL
DN

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF 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

STOCKWATER, 300 RANGE CATTLE
THE UNNAMED STREAM SOURCES ARE ALSO KNOWN AS SCHOOL HOUSE
GULCH, CHIMNEY CREEK, LANHAM CREEK AND RODWELL CREEK.

CERTIFICATE OF MAILING

I certify that on July 28, 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, ID 83303-2707

2. 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

3. Copies to all parties to the subcase (insert names and addresses here):

Rex E Lanham
2630 HWY 21
Boise, ID 83716



David L. Negri