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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. 51-12433

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, date, 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.

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

CLAIMANT /OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 10/12/03
Larry A. Brown *LB* Date

Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

OBJECTOR:

State of Idaho

David J. Barber 10/9/2003
David J. Barber Date

Deputy Attorney General
Office of the Attorney General

IDWR CONCURRENCE:

Roxanne Brown 9/26/03
Roxanne Brown Date
Senior Water Resource Agent

IDWR CONCURRENCE:

Date

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

RIGHTS FROM: SOURCE: POISON CREEK TRIBUTARY: JARBIDGE RIVER

RIGHT NUMBER: 51-12433

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: POISON CREEK TRIBUTARY: JARBIDGE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1874 06/28/1934

JAB MB RB d/B

POINT OF DIVERSION:		Within OWYHEE County			
T14S	R09E	S35	SENESE	~~(INSTREAM BEGINNING POINT)~~	
T15S	R09E	S13	SWNESE	~~(INSTREAM BEGINNING POINT)~~	
		<u>S35</u>	<u>SENESE</u>	<u>(INSTREAM BEGINNING POINT)</u>	
T14S	R09E	S35	SWNESE	~~(INSTREAM ENDING POINT)~~	
T15S	R09E	S01	LOT 2 (<u>NWNWNE</u>)	(INSTREAM ENDING POINT)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:		Within OWYHEE County	
T14S	R09E	S35	NESW NESE
T15S	R09E	S01	Lot 2 (NWNE) SWNE NESW
		S12	SESW SWNE NENW SENE NESE
		S13	NWSE NESE <u>SWSE</u>
		<u>S24</u>	<u>SESE</u> <u>NWNE</u> <u>SWNE</u>
		<u>S25</u>	<u>NESW</u> <u>SWSW</u>
		<u>S26</u>	<u>SESW</u> <u>NWSE</u>
		<u>S35</u>	<u>SWNW</u> <u>SENE</u> <u>NESE</u>
		<u>S35</u>	<u>SESE</u> <u>NENE</u>
	R10E	S07	Lot 3 (NWSW) Lot 4 (SWSW)
		S18	NENW Lot 1 (NWNW)
			SENE Lot 2 (SNNW) SENW <u>Lot 3 (NWSW)</u>

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT
A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
~~STOCKWATER, VARIABLE AMOUNT~~
BLM RECORD ID = 5101780538

RB
MB
W
JB
JAB

CERTIFICATE OF MAILING

I certify that on 10/17, 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, Idaho 83303-2707

2. Copy to:

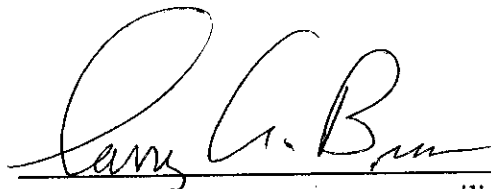
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Craig A. Pridgen
Attorney at Law
P.O. Box 5815
Tahoe City, CA 96145



Signature of person or attorney mailing the form