

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: 29-13526

Case No. 39576

STANDARD FORM 5
AMENDED CLAIM
FOR DOMESTIC AND STOCKWATER RIGHTS

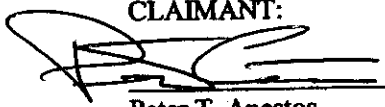
This form is used to report the stipulated elements of one "domestic and/or stockwater" water right acquired under state law and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct 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; and 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. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

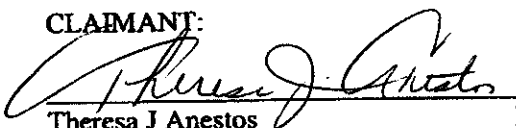
CLAIMANT:

CLAIMANT:


Peter T. Anestos

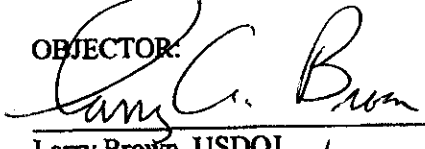
1-21-04

Date


Theresa J Anestos

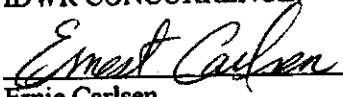
1-21-04
Date

OBJECTOR:


Larry Brown, USDOJ
Attorney for BLM

1/23/04
Date

IDWR CONCURRENCE:


Ernie Carlsen

1-13-04

Date

Adjudication Supervisor, Eastern Region


Candice M. McHugh (As to Form)

1-6-04
Date

Attorney for IDWR

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

RIGHT NUMBER: 29-13526
NAME AND ADDRESS: PETER T ANESTOS
9589 W POCATELLO CREEK RD
POCATELLO ID 83201
THERESA J ANESTOS
9589 W POCATELLO CREEK RD
POCATELLO ID 83201
SOURCE: Source: Tributary:
GROUND WATER
QUANTITY: 0.040 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1987

POINT OF DIVERSION: T06S R35E S18 SWSSEW
Within BANNOCK County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC within BANNOCK County
~~T04S R35E S15 SESW~~
T06S R35E S18 SESW

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
Parcel No: R3851009928

CERTIFICATE OF MAILING

I certify that on 1/23, 2004, 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:

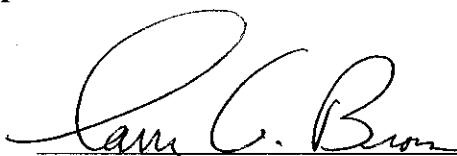
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

Peter T. Anestos
Theresa J. Anestos
9589 W. Pocatello Creek Rd
Pocatello, ID 83201



Signature of person or attorney mailing the form