

**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.: 82-12001
) (RENUMBER TO 85-15429)
)

) 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" 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.

The parties and IDWR agree that due to clerical error, this water right was mistakenly reported in the Director's Report for Domestic and Stockwater rights in IDWR Administrative Basin 82. The water right's point of diversion actually lies in IDWR Administrative Basin 85. The claim to this water right has been renumbered to 85-15429. The parties and IDWR agree and stipulate that the elements of water right 82-15429 should be described per the attached Amended Claim. The parties and IDWR have indicated their concurrence by initialing each of the attached pages. The parties and IDWR further agree and stipulate that water right 82-12001 should be disallowed.

CLAIMANTS/OBJECTOR:

United States on behalf of the
Bureau of Land Management



Larry A. Brown *LB*
Attorney, U.S. Dept of Justice
Environment and Natural Resources Div.

3/25/04
Date

IDWR CONCURRENCE:



Roxanne Brown
Sr. Water Resource Agent, IDWR

3/26/04
Date

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

RIGHT NUMBER: 82-12001 85-15429

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

SOURCE: UNNAMED STREAM

TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1878 06/28/1934

POINT OF DIVERSION:

T30N R04E S7 SWNESE Begin of Stream Flow Within IDAHO County

T30N R04E S7 SWNESE End of Stream Flow Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T30N R04E S07 NESE

RG MB JS

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
BLM RECORD ID = 8206582127 8506580415
~~STOCKWATER, WILDLIFE VAR. AMT.~~

CERTIFICATE OF MAILING

I certify that on Mar. 29, 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

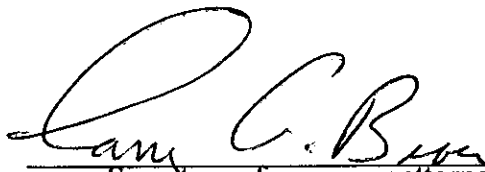
2. Copy to:

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



Signature of person or attorney mailing the form