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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. 43-10573

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 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.

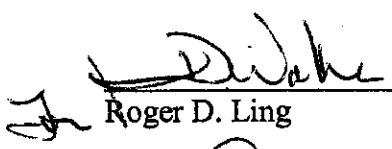
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

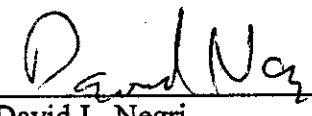
C Bar Cattle Company

OBJECTOR:

United States on behalf of the
USDA Forest Service

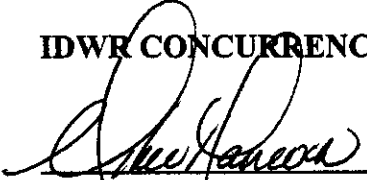
 Roger D. Ling

4/1/04
Date

 David L. Negri

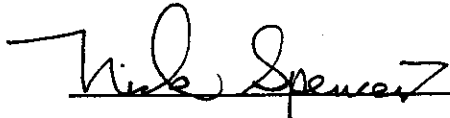
4/6/04
Date

IDWR CONCURRENCE:

 Vikie Hancock

4/2/04
Date

ATTORNEY FOR IDWR:

 Mike Spencer

4-5-04
Date

11/25/2003

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

RIGHT NUMBER: 43-10573

NAME AND ADDRESS: C BAR CATTLE CO
C/O CHRISTOPHER F ROBINSON
139 E SOUTH TEMPLE #310
SALT LAKE CITY UT 84111

SOURCE: HUTCHEY SPRING

TRIBUTARY: SINKS

QUANTITY: ~~0.120 CFS~~ 0.020 CFS

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

PRIORITY DATE: ~~05/01/1971~~ 10/11/1970

POINT OF DIVERSION:

T14S R28E S14 SESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	05/01 12/01	0.020 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T13S R28E S34	SWNW	T13S R28E S34	NWSE
T13S R28E S34	NESE	T13S R28E S35	SESW
T13S R28E S35	NENE	T13S R28E S35	NENW
T13S R28E S35	SESW	T14S R28E S01	SESW
T14S R28E S01	SWNW	T14S R28E S02 Lot 3	NENW
T14S R28E S02 Lot 1	NENE	T14S R28E S12	NWSE
T14S R28E S12	SESW	T14S R28E S14	SESE
T14S R29E S18	NWNE	T14S R28E S13	SESW
T14S R29E 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.

THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION TO RESOLVE SUBCASES ENTERED INTO ON MARCH 18, 2004 BETWEEN THE UNITED STATES OF AMERICA AND THE C BAR CATTLE COMPANY FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON MARCH 22, 2004 AS INSTRUMENT NO. 294608; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 500 RANGE CATTLE.

Water Right 43-10573

CERTIFICATE OF MAILING

I certify that on April 6, 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, ID 83303-2707

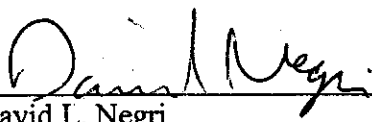
2. Copy to:

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):

C Bar Cattle Company
C/O Roger D. Ling
P.O. Box 396
Rupert, Idaho 83350



David L. Negri