

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. 74-14421
)
) **STANDARD FORM 5**
)
Case No. 39576) **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 5/22/04
Larry A. Brown ck Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

OBJECTOR:

State of Idaho

David J. Barber 5/25/2004
David J. Barber Date
Deputy Attorney General
Office of the Attorney General

IDWR CONCURRENCE:

Roxanne Brown 5/13/04
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: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER

RIGHT NUMBER: 74-14421

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: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 01/01/1876 06/28/1934

POINT OF
DIVERSION:

T13N R28E S02
T13N R29E S20

T14N R27E S05

S09

S21

S27

S28

S35

R28E S32

T15N R26E S12

R27E S18

S29

S32

T13N R28E S01

S02

T14N R27E S05

S08

S21

S27

S28

S35

NENESW

SWNENW

NENWNE

SENESW

NENESW

SWSWSW

NESWNE

SESWNE

NENWSW

SENWSW

NESENE

NENENE

NESENE

SESENE

SWSENE

SWNENW

SENENW

SWSESE

SENWNW

NESWNW

NESWSW

SESWSW

SWNWSW

NWNESW

NWSENW

NESENW

NWNWNE

NWNENE

NESWNE

NENWSW

NESENE

NWNENE

Within LEMHI County

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM BEGINNING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

(INSTREAM ENDING POINT)

			<u>NWSE</u> <u>ENW</u>	(INSTREAM ENDING POINT)
	<u>R28E</u>	<u>S32</u>	<u>SWS</u> <u>ENE</u>	(INSTREAM ENDING POINT)
T15N	R26E	S12	~~NEN~~ <u>ENW</u>	~~(INSTREAM ENDING POINT)~~
			<u>NWN</u> <u>WNE</u>	(INSTREAM ENDING POINT)
	R27E	S18	Lot 1 (NENW) <u>NW</u>	(INSTREAM ENDING POINT)
			NESWSE	(INSTREAM ENDING POINT)
		<u>S21</u>	~~NESW~~ <u>NE</u>	~~(INSTREAM ENDING POINT)~~
		S29	~~NESW~~ <u>NW</u>	~~(INSTREAM ENDING POINT)~~
			<u>NEN</u> <u>WNW</u>	(INSTREAM ENDING POINT)
		S32	NESWSW	(INSTREAM ENDING POINT)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER

Within LEMHI County
SWSW

T13N R28E S01

NWSW

SESW

NESW

T13N R28E S12

NENE

SENE

R29E S07

SWNW

NWSW

SWSE

S17

NWNW

NESW

SESW

S18

NENE

S20

NWNE

T14N R27E S05

SENW

S08

NENE

SWNE

NESE

S09

SWSW

S21

SWNE

S27

NWSW

S28

SENE

S35

NENE

SENE

R28E S32

SENE

T15N R26E S12

NWNE

SENE

R27E S18

NENW

SWSE

S29

NWNW

NWSW

S32

NWNW

SWSW

Lot 1 (NWNW)

SESE

SWNW

SWSW

SWNW

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. I.C. SECTION 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7404681855
~~STOCKWATER, 309 RANGE CATTLE, WILDLIFE VAR. AMT.~~

RB CK

DJP
LAS

CERTIFICATE OF MAILING

I certify that on May 20, 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:

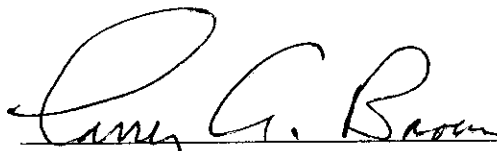
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

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

David J. Barber
Deputy Attorney General
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449



Signature of person or attorney mailing the form