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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. 74-14455

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

OBJECTOR:

State of Idaho

David J. Barber
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: FERRY CREEK TRIBUTARY: MILL CREEK

RIGHT NUMBER: 74-14455

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: FERRY CREEK TRIBUTARY: MILL CREEK
 UNNAMED STREAM SINKS

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: T16N R24E S01 Within LEMHI County

		<u>SESWSE</u>	~~(INSTREAM BEGINNING POINT)~~
		<u>NESENE</u>	~~(INSTREAM ENDING POINT)~~
		<u>SESENE</u>	~~(INSTREAM BEGINNING POINT)~~
		<u>SESWSE</u>	~~(INSTREAM BEGINNING POINT)~~
		<u>SESWSE</u>	~~(INSTREAM ENDING POINT)~~
	S13	<u>NENWNW</u>	~~(INSTREAM ENDING POINT)~~
		SENWNW	(INSTREAM BEGINNING POINT)
	S14	<u>NESWSE</u>	~~(INSTREAM ENDING POINT)~~
		<u>SESWSE</u>	~~(INSTREAM ENDING POINT)~~
	S23	SWSENW	(INSTREAM BEGINNING POINT)
	R25E S06	<u>LOT 5 (NESWNW)</u>	(INSTREAM ENDING POINT)
		<u>LOT 6 (NWNWSW)</u>	~~(INSTREAM BEGINNING POINT)~~
	R25E S06	<u>SWSWNW</u>	~~(INSTREAM BEGINNING POINT)~~
	R24E S01	<u>SESWSE</u>	~~(INSTREAM ENDING POINT)~~
	S12	<u>NESWSW</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: STOCKWATER Within LEMHI County

T16N R24E S01	<u>SENE</u>	SWSE
	<u>S12</u>	
	S13	
	S14	
	S23	NENW
		SENW
R25E S06	<u>LOT 5 (SWNW)</u>	<u>LOT 6 (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. I.C. SECTION 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
BLM RECORD ID = 7404681889
~~STOCKWATER, 263 RANGE CATTLE; WILDLIFE VAR. AMT.~~

RB CK
JAB 20/B

CERTIFICATE OF MAILING

I certify that on May 22, 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