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DEPARTMENT OF
WATER RESOURCES

Danskin Cattle LLC

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR TWIN FALLS COUNTY

	)	Subcase No. 63-31290A
	)	
In Re SRBA	)	Motion to Alter or Amend
	)	
Case No. 39576	)	
	)	
	)	
	)	

Danskin Cattle LLC, by and through its counsel of record, Dana L. Hofstetter, hereby moves this Court, pursuant to *SRBA Administrative Order No. 1*, Section 13a, to alter or amend the *Special Master's Recommendation* in the above-referenced Subcase as follows: The reference to Lot 8 of Section 10 was omitted from the place of use description. The page from the Standard Form 5, attached hereto as Exhibit A, identifies the omitted reference to Lot 8.

DATED this 27th day of July, 2004.

HOFSTETTER LAW OFFICE, LLC

By 
Dana L. Hofstetter

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of July, 2004, I caused to be served copies of the foregoing **Motion to Alter or Amend** by depositing a copy thereof in the U.S. mail, postage prepaid, upon:

Idaho Department of Water Resources
Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

David Negri
United States Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724


Dana L. Hofstetter

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

RIGHT NUMBER: 63-31290A

NAME AND ADDRESS: DANSKIN CATTLE LLC
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

SOURCE: ROCK CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.518 ~~0.574~~ CFS

USE OF THIS RIGHT WITH RIGHT NOS. 63-115 & 63-31290B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.0 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 63-19756 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .894 CFS.

PRIORITY DATE: 04/01/1974

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T01N R07E S14 NENW Within ELMORE County
T01N R07E S15 SENE Lot 5 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.518 ~~0.574~~ CFS

PLACE OF USE:

IRRIGATION Within ELMORE County

~~T01N R07E S09~~	~~NESE~~	~~8~~	~~T01N R07E S09~~	~~SESE~~	~~5~~
T01N R07E S10 Lot 4	NWSW	11.2	T01N R07E S10 Lot 8	SWSW	26.6
T01N R07E S10 Lot 7	SESW	16.0	~~T01N R07E S14 Lot 1~~	~~NWSW~~	~~4.0~~
~~T01N R07E S14 Lot 2~~	~~SWSW~~	~~5~~	T01N R07E S15 Lot 1	NWNE	28.5
T01N R07E S15 Lot 4	SWNE	3.0	T01N R07E S15 Lot 5	SENE	9.0
T01N R07E S15 Lot 2	NENW	11.0	~~T01N R07E S15~~	~~NWNW~~	~~1.2~~
~~T01N R07E S15 Lot 6~~	~~NESE~~	~~4.4~~			

105.9 ~~117.3~~ ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-115 AND 63-31290B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 117.3 ACRES IN A SINGLE IRRIGATION
SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 134.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 63-115, 63-19756 & 63-31290B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT: