

RECEIVED

APR 29 2003

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. 47-16734
	)	
	)	
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, data, 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.

Pursuant to the terms of the *Stipulation and Joint Motion for Order Approving Stipulation* filed on August 29, 2002, such stipulation being incorporated into this *Standard Form 5*, 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.

OBJECTOR:

United States on behalf of the
USDA Forest Service

 4/25/03

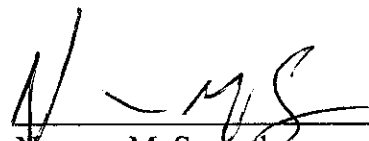
David L. Negri Date

CLAIMANTS:

Western Stock Growers Association et al.
David Crockett
Raymond Butler
Wallace Brown
Broken Diamond Ranch
Birchie Brown
Mathers Ranch Inc.
Kinsey Family LLP
Williams Properties LLC
Williams, Inc.
Tugaw Ranch
Tom Kunkel

RESPONDENT:

Western Stock Growers Association et al.

 4/25/03

Norman M. Semanko Date
Travis L. Thompson

IDWR CONCURRENCE:

 4/25/03

Roxanne Brown Date

CERTIFICATE OF MAILING

I certify that on 4/28, 2003, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Copies to all parties to the subcase (insert names and addresses here):

Norman M. Semanko
Travis L. Thompson
Barker, Rosholt, & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139
Counsel for the Western Stock Growers Association et al.



Signature of person mailing documents

Right Number: 47-16734

Name and Address:

WESTERN STOCK GROWERS
ASSOCIATION ET AL.
2391 ROCK CREEK RD
HANSEN, ID 83334

~~DAVID CROCKETT~~
~~2678 A ROCK CREEK RD.~~
~~HANSEN, ID 83334~~

~~RAYMOND BUTLER~~
~~3094 A N 3800 E~~
~~HANSEN, ID 83334~~

~~WALLACE BROWN~~
~~3389 N 3700 E~~
~~HANSEN, ID 83334~~

~~BROKEN DIAMOND RANCH~~
~~C/O CHARLES AND SHARI HELMAN~~
~~2391 ROCK CREEK RD.~~
~~HANSEN, ID 83334~~

~~BIRCHIE BROWN~~
~~C/O TAYLOR BROWN~~
~~340 W 350 S~~
~~JEROME, ID 83338~~

~~MATHERS RANCH INC.~~
~~3485 E 3100 E~~
~~KIMBERLY, ID 83341~~

~~KINSEY FAMILY LLP~~
~~C/O WILMOTH KINSEY~~
~~3497 A E 3000 N~~
~~KIMBERLY, ID 83341~~

~~WILLIAMS PROPERTIES LLC~~
~~C/O AARON WILLIAMS~~
~~2600 N 2900 E~~
~~TWIN FALLS, ID 83301~~

~~WILLIAMS INC.~~
~~THOMAS A. WILLIAMS~~
~~WILLIAM J. WILLIAMS~~
~~C/O BILLY WILLIAMS~~
~~3128 N 3200 E~~
~~TWIN FALLS, ID 83301~~

~~TUGAW RANCH~~
~~C/O JOE TUGAW~~
~~3277 WOODRIDGE DR.~~
~~TWIN FALLS, ID 83301~~

~~TOM KUNKEL~~
~~RT. 3 HOLLISTER~~
~~TWIN FALLS, ID 83301~~

Source:	~~POND SPRING~~	Tributary: ~~SINKS~~
	~~ORIN SPRING~~	~~SINKS~~
	~~WHITTLE SPRING~~	~~SINKS~~
	~~CLIFF SPRING~~	~~SINKS~~
	~~SANITARY SPRING~~	~~SINKS~~
	~~ASBURY SPRING~~	~~SINKS~~
	~~EAGLE SPRING~~	~~SINKS~~
	~~DIAMOND FLAT SPRING~~	~~SINKS~~
	~~VAN EATON SPRING~~	~~SINKS~~
	~~LIME SPRING~~	~~SINKS~~
	~~COLD WATER SPRING~~	~~SINKS~~
	~~SHEEP SPRING POND~~	~~SINKS~~

Quantity: ~~+.01~~ .02 CFS

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO. 47-15154 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

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

NMS

RB

DN

Priority Date: 06-01-1872 04-30-1875

Diversion Point:	T15S R18E S04	NWSWSW	Within Twin Falls County
		NENWSE	
	S07	SESESE	
	S08	NWNESE	
	S09	NESWNE	
		NWSWNW	
	S11	NESESW	
	S15	NWSWNE	
	S16	NESWNW	
	S22	SENESE	
		SWNENE	
	S27	NESESW	

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	~~05-15 TO 10-15~~	~~-01~~ .02 CFS
		05-01 TO 10-31	

Place of Use:	Stockwater	Within Twin Falls County
	T15S R18E S04	SWSW NWSE
	S07	SESE
	S08	NESE
	S09	SWNE SWNW
	S11	SESW
	S15	SWNE
	S16	SWNW
	S22	NENE NWNE
	S27	SESW

Other Provisions Necessary for Definition / Administration of this Water Right:

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND WESTERN STOCKGROWERS ASSOCIATION ET AL., FILED IN THE OFFICE OF THE TWIN FALLS COUNTY RECORDER AND RECORDED ON APRIL 21, 2003 AS INSTRUMENT NO: 2003-010014; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO 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

RB NMS

DN