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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. 74-14274

Case No. 39576

) **STANDARD FORM 5**

) **AMENDED CLAIM**

----- FOR DOMESTIC & STOCKWATER RIGHTS

This form is used to report the stipulated elements of one water 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 per the attached. 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 8/1/02
Larry A. Brown CK Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

OBJECTOR:

State of Idaho

David J. Barber 7/29/02
David J. Barber Date
Deputy Attorney General
Office of the Attorney General

IDWR CONCURRENCE:

Roxanne Brown
Roxanne Brown

7/29/02
Date

IDWR CONCURRENCE:

Date

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

RIGHT NUMBER: 74-14274

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTING
THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE ID 83709-1657

SOURCE: GARY CREEK Tributary: GEERTSON CREEK

QUANTITY: 0.02 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

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

POINT OF DIVERSION:

T22N R23E S25 NWNWNW Begin of Stream Flow Within LEMHI County
~~T22N R23E S26 SWSWSW End of Stream Flow Within LEMHI County~~
T22N R23E S35 NWNWNW End of Stream Flow Within LEMHI County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
STOCKWATER	1/01 12/31	0.02 CFS

PLACE OF USE:

STOCKWATER within LEMHI County
T22N R23E S25 NWNW
T22N R23E S26 NENE
T22N R23E S26 SWNE
T22N R23E S26 SENE
T22N R23E S26 NESW
T22N R23E S26 SWSW
T22N R23E S26 SESW
~~T22N R23E S26 NESE~~
T22N R23E S26 NWSE
T22N R23E S35 NWNW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BLM RECORD ID = 7404681708

CERTIFICATE OF MAILING

I certify that on Aug 1, 2002, 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:

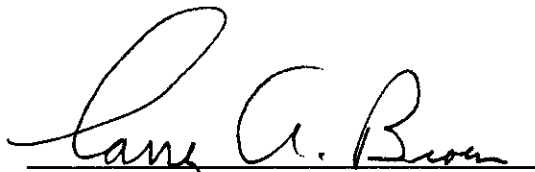
Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

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