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JUN 25 2002

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

Case No. 39576

SUBCASE NO.: 43-10009

STANDARD FORM 5
AMENDED CLAIM

For Domestic and 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 whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin 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 decreed as 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
Bureau of Land Management

Larry A. Brown 7/3/02 date
Larry A. Brown
Attorney, U.S. Dept. of Justice
Environment & Natural Resources Div.

IDWR CONCURRENCE:

Roxanne Brown 7/1/02 date
Roxanne Brown
Sr. Water Resource Agent, IDWR

CLAIMANT:

Daniel R. Stolfus 6-24-02
Daniel R. Stolfus date

Lola R. Stolfus 6-24-02
Lola R. Stolfus date

CERTIFICATE OF MAILING

I certify that on July 3, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required, and addressed as follows:

1. Original to:

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

☒ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

U.S. Dept. of Justice
Environment & Natural Resource Div.
General Litigation Section
550 W. Fort St., MSC 033
Boise, ID 83724

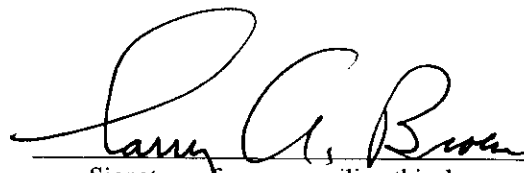
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Daniel and Lola Stolfus
1873 S. Elba Almo Rd.
Malta, ID 83342

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

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

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document

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

RIGHT NUMBER: 43-10009

NAME AND ADDRESS: DANIEL R STOLFUS
LOLA R STOLFUS
1873 S ELBA ALMO RD
MALTA ID 83342

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/08/1986

POINT OF DIVERSION:

T13S R25E S28 ~~SESW~~ SESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>QUANTITY</u>	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	
	DOMESTIC	1/01 12/31	0.04 CFS
PLACE OF USE:	<u>DOMESTIC Within CASSIA County</u>		
	T13S R25E S28	SESW	

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

~~PARCEL NO. RP13S25E286750~~