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Department of Water Resources

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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.: 55-13823

Case No. 39576

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.

CLAIMANT/OBJECTOR:

IDWR CONCURRENCE:

Steven J. Schuster 5/17/02
Steven J. Schuster date
Deputy Attorney General
Idaho Dept. of Lands

Roxanne Brown 5/17/02
Roxanne Brown date
Sr. Water Resource Agent
Idaho Dept. of Water Resources

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MAY 29 2002

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

RIGHT NUMBER: 55-13823
NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
PO BOX 83720
BOISE ID 83720-0050

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: SAM NOBLE SPRING SPRINGS
TRIBUTARY: ROCK CREEK
TRIBUTARY: ROCK CREEK

QUANTITY: 0.09 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 02/19/1923

POINT OF DIVERSION:

T09S R02W S22 SWNWSE Within OWYHEE County
T09S R02W S23 ~~NENESE~~ SESENE Within OWYHEE County
T09S R02W S23 ~~NWNESW~~ SWNESW Within OWYHEE County
T09S R02W S23 SENWSW Within OWYHEE County
T09S R02W S23 NENESE Within OWYHEE County
T09S R02W S23 NENWSE Within OWYHEE County
T09S R02W S24 ~~SESWNW~~ SWSWNW Within OWYHEE County
T09S R02W S24 NWNWSW Within OWYHEE County
T09S R02W S24 NWNWSW Within OWYHEE County
TWO POINTS OF DIVERSION LOCATED IN T09S, R02W, S24, NWNWSW.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.09 CFS

PLACE OF USE: STOCKWATER Within OWYHEE County

T09S R02W S22	NWSE	T09S R02W S23	NESW
T09S R02W S23	NWSW	~~T09S R02W S23~~	~~NESE~~
T09S R02W S23	NESE	T09S R02W S23	NWSE
T09S R02W S23	SENE	T09S R02W S24	SWNW
T09S R02W S24	NWSW	T09S R02W S24	NWSW

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

CERTIFICATE OF MAILING

I certify that on July 15, 2002, I delivered the original and copies of this form, including all attachments, 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:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☐ regular mail
☒ hand-delivered
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IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ overnight mail
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☐ facsimile

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

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

Idaho Dept. of Lands
P.O. Box 83720
Boise, ID 83720-0050

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Signature of person mailing this document