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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 Case No. 39576	**SUBCASE NO.: 75-13290** **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:
United States on behalf of the Bureau of Land Management

Larry A. Brown 6/12/02
Larry A. Brown date
Attorney, U.S. Dept. of Justice
Environment & Natural Resources Div.

IDWR CONCURRENCE:

Roxanne Brown 5/29/02
Roxanne Brown date
Sr. Water Resource Agent, IDWR

OBJECTOR:
State of Idaho

David J. Barber 6/14/02

David J. Barber date
Office of the Attorney General

CERTIFICATE OF MAILING

I certify that on Jan 12, 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

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: 75-13290

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: UNNAMED STREAM TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

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

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

POINT OF DIVERSION:

T21N R21E S13 SENE Lot 2 Within LEMHI County

T21N R21E S13 NENW 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

T21N R21E S13	NWNE	T21N R21E S13	SWNE
T21N R21E S13 Lot 2	SENE	T21N R21E S13	NENW

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 = 7504682799

~~STOCKWATER, 450 RANGE CATTLE, WILDLIFE VAR. AMT.~~