

COMES NOW the United States of America ("United States"), Willis and Betty DeVeney ("DeVeney's"), Todd Bowen, and the private parties listed on Attachment #1 ("Private Parties"), by and through their respective attorneys of record, and hereby submit this Notice of Clarification in subcase nos. 78-12178, 78-12179, 78-12180, 78-12181, 78-12182, 78-12183, 78-12184, 78-12184, 78-12185, 78-18186.

On August 29, 2002 the United States, DeVeney's, Todd Bowen and Private Parties filed a *Stipulation and Joint Motion for Order Approving Stipulation* ("Stipulation") in several thousand subcases identified in Exhibits A through G of that Stipulation. Contained within Exhibit A and E of the Stipulation are subcases in Basin 78 involving the instant parties.

On November 13, 2002, pursuant to the terms of the Stipulation, the United States, DeVeney's, Private Parties, and IDWR agreed and stipulated in Standard Forms 5 ("SF5's") that in nine instances, claims would be split, retaining the original claim number and adding one new claim number that would limit the use of both claims to a total combined diversion rate and quantity. Similarly, On January 10, 2003, the United States, Todd Bowen, Private Parties and IDWR filed an SF5 involving one claim that was split creating one new claim number. The original claim numbers appear on Exhibit A and E of the Stipulation. The new claim numbers do not appear on the Stipulation but are referenced in the *Special Master's Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)* that were issued on January 15, 2003.

The United States, DeVeney's, Todd Bowen, and the Private Parties wish to clarify that the terms and conditions of the Stipulation as they relate to Exhibit A of the Stipulation shall apply to subcase numbers 78-12178, 78-12179, and 78-12186, and that the terms and conditions of the

Stipulation as they relate to Exhibit E of the Stipulation shall apply to subcase numbers 78-12180, 78-12181, 78-12182, 78-12183, 78-12184, 78-12184, and 78-12185.

Dated this 4th day of ^{March}~~February~~, 2003.

United States on behalf of the
USDA Forest Service

David L. Negri 3/4/03
David L. Negri Date

Shingle Creek LLC

Willis De Veny 3/1/03
Willis De Veny Date

Betty De Veny 3/1/03
Betty De Veny Date

Todd Bowen

Federal Stockwater Group
(see Attachment #1)

Norman M. Semanko 2-25-03
Norman M. Semanko Date
Travis L. Thompson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of ~~February~~ ^{March} 2003, I served a true and correct copy of the foregoing **Notice of Clarification** by depositing a copy thereof in the U.S. mail, postage prepaid, or by other service where indicated, upon the following:

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:

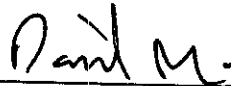
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United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
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Riggins, ID 83549

Norman M. Semanko
Travis L. Thompson
Barker, Rosholt, & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

Counsel for Todd Bowen and the Federal Stockwater Group



David L. Negri

Attachment 1

Western Stockgrowers Association et al.
Broken Diamond Ranch
Brown, Birchie
Brown, Wallace
Butler, Raymond
Crockett, David
Kinsey Family LLP
Kunkel, Tom
Mathers Ranch
Tugaw Ranches
Williams, Inc.
Williams Properties LLC
William J & Thomas Williams

Poulton, Michael
Poulton, Gary
Richfield Cattle Association
Shingle Creek LLC
Shoulder Three Ranches Inc.
Tugaw, Joe
Warr, Keith
Whiteley, Winslow
Winecup, Inc.

A.L. Cattle, Inc.
Bedke Family Limited Partnership
Bedke, Scott
Bedke, Karl U.
Bedke, Ray C.
Bowen, Todd
Branch, Weldon
Crater Butte Cattle Association
DeVeney, Willis
DeVeney, Betty
Diamond A Livestock, Inc.
Eckhardt Family Limited Partnership
Eckhardt, James
Eckhardt, Nellie
Faulkner Land & Livestock Company
Flying Triangle Inc.
Gardner, Luther
Lawrence Ranch Inc.
Lawrence, Ron
Layton, Eugene
Mathews, Bill J.
Mathews, Eugene
Pickett Ranch and Sheep Company