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DEPARTMENT OF
WATER RESOURCES

COPY

2004 DEC 27 AM 11:24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

**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 61-10390

Case No. 39576

) STANDARD FORM 5

) **AMENDED CLAIM**

) **For Domestic & Stockwater Rights**

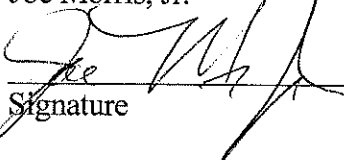
This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge 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 described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

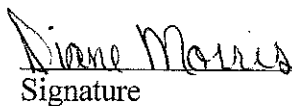
CLAIMANTS/OBJECTORS:

Joe Morris, Jr.

 12-10-04

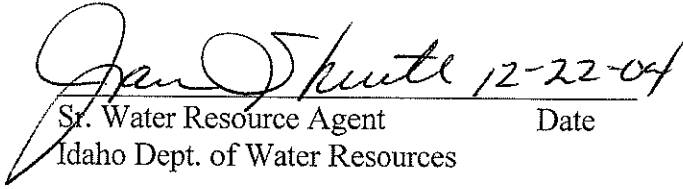
Signature Date

Diane Morris

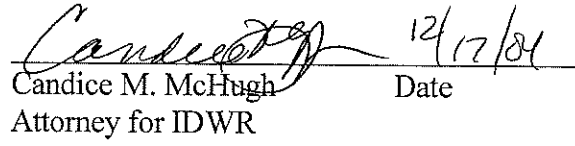
 12-10-04

Signature Date

IDWR CONCURRENCE:

 12-22-04

Sr. Water Resource Agent Date
Idaho Dept. of Water Resources

 12/17/04

Candice M. McHugh Date
Attorney for IDWR

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

RIGHT NUMBER: 61-10390

NAME AND ADDRESS:

JOE C MORRIS JR
RT 1 BOX 78 DANIELS RD
MOUNTAIN HOME ID 83647

DIANE MORRIS
RT 1 BOX 78 DANIELS RD
MOUNTAIN HOME ID 83647

~~BRENT PAXTON~~
~~136 CLINTON DR~~
~~TWIN FALLS ID 83301~~

~~HERMAN J BISCHOFF~~
~~2114 1ST AVE N~~
~~PAYETTE ID 83661-2784~~

SOURCE: GROUND WATER Tributary:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 12/31/1963

POINT OF DIVERSION:

~~T04S R06E S01 NWNE~~
~~Within ELMORE County~~

T04S R06E S01 SWNE
Within ELMORE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use: Quantity:

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE:

DOMESTIC

within ELMORE County

~~T04S R06E S01 NWNE~~

T04S R06E S01 SWNE

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
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - Beneficial Use

Property also known as Lots 29 & 30, Block 11, Fruitdale Sub.
Parcel No. 00060011029A

*J.M. by Betsy Hanning
D.M. per phone call
SME*

CERTIFICATE OF SERVICE

I certify that on December 22, 2004, I caused to be served true and correct copies of this Standard Form 5 / Amended Claim, to the following persons, in the manner indicated 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
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ Hand-delivered
☐ Facsimile

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

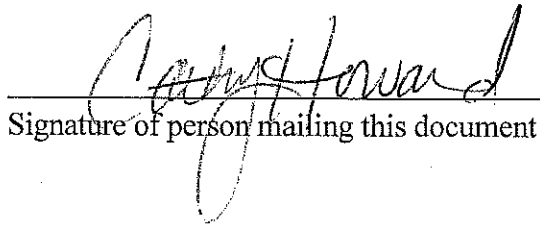
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United States Department of Justice
Adjudication Team
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☐ Hand-delivered
☐ Facsimile

Joe C Jr & Diane Morris
Rt 1, Box 878
Mountain Home, ID 83647

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☒ Regular Mail
☐ Hand-delivered
☐ Facsimile


Signature of person mailing this document