



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

RECEIVED
JAN 27 2005
Department of Water Resources

January 18, 2005

Ben & Ruth Boyd
3645 Hill Road
Boise, ID 83704

RE: Subcase No. 63-17608

Dear Mr. & Mrs. Boyd:

Enclosed please find an original document entitled "Standard Form 5/Amended Claim for Domestic & Stockwater Rights" which requires your signatures.

Please review the documents carefully for accuracy. If the water right description meets with your approval, sign the original form where indicated, **initial the water right recommendation page** and return the documents to me for filing with the SRBA Court.

If you have any questions regarding the enclosed, please feel free to call me at: 208-287-4814.

Sincerely,

Becky Harvey
Becky Harvey
Paralegal

/bh

Enclosures

*Enclosed are the Amended
Claim papers for 63-17608.
Thank you -*

**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 63-17608
)
)
)
)
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)

STANDARD FORM 5

AMENDED CLAIM

For Domestic & Stockwater Rights

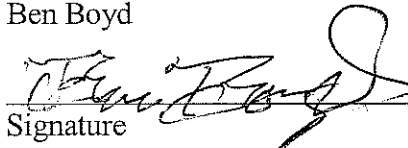
This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge 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.

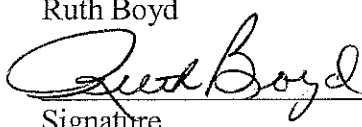
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS/OBJECTORS:

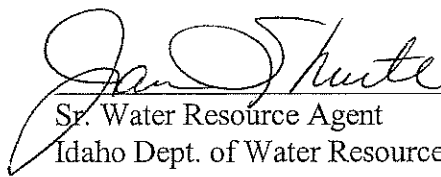
Ben Boyd

 1/21/05
Signature Date

Ruth Boyd

 1/21/05
Signature Date

IDWR CONCURRENCE:

	<u>1-14-05</u>		<u>1-18-05</u>
Sr. Water Resource Agent	Date	Nicholas B. Spencer	Date
Idaho Dept. of Water Resources		Attorney for IDWR	

CERTIFICATE OF SERVICE

I certify that on January 27, 2005, 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

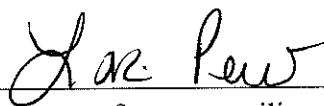
☐ Overnight Mail
☐ Regular Mail
☒ Hand-delivered
☐ Facsimile

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

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

Ben Boyd
Ruth Boyd
3645 Hill Road
Boise, ID 83703

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



Signature of person mailing this document

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

RIGHT NUMBER: 63-17608

NAME AND ADDRESS:

BEN H BOYD
3645 HILL RD
BOISE ID 83704RUTH M BOYD
3645 HILL RD
BOISE ID 83704

SOURCE: GROUNDWATER Tributary:

QUANTITY: 0.060 CFS

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

PRIORITY DATE: 04/30/1938

POINT OF DIVERSION:

~~T04N R02E S31 NESENE~~
~~Within ADA County~~T04N R02E S31 NENE
Within ADA County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	DOMESTIC	01/01 12/31	0.060 CFS

PLACE OF USE:	DOMESTIC	within ADA County
	~~T04N R02E S31 SENE~~	
	<u>T04N R02E S31 NENE</u>	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
PROPERTY ALSO KNOWN AS LOTS 33 & 34 AMES SUBDIVISION.