

Name of Party Filing Document:

UNITED STATES OF AMERICA

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ISB#6697

Counsel for the United States of America

**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. 81-11922
		)	
Case No:	39576	)	STANDARD FORM 4
		)	
		)	MOTION TO FILE:
		)	AMENDED NOTICE OF CLAIM
		)	

MOTION

Pursuant to I.R.C.P. 15(a) and SRBA Administrative Order 1, Rules of Procedure, the United States of America, on behalf of the United States Department of Agriculture, Forest Service ("United States") respectfully moves the Court to enter an Order granting permission to file an Amended Notice of Claim in subcase no. 81-11922, and as grounds therefore, states:

1. The United States must amend its Notice of Claim to the use of water in the SRBA because:

The point of diversion ("POD") and place of use ("POU") for claim no. 81-11922 need to be corrected to accurately describe the legal location. The POD should be T32N R07E S14 SENW. The POU should be T32N R07E S23 SENW (Lot 3) and SWNW (Lot 1).

2. This motion and the amended notice of claim are timely.

3. Counsel for the United States in this matter is designated below and has read SRBA Administrative Order 1, Rules of Procedure (Amended October 16, 1997).

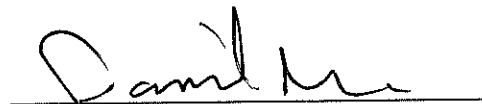
DAVID L. NEGRI
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724
(208) 331-5943

4. Attached is an Amended Notice of Claim.

WHEREFORE, for good cause shown, the United States respectfully requests this Court enter an Order granting leave to file the Amended Notice of Claim.

Dated this 9th day of May, 2005.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David L. Negri", is written over a horizontal line.

David L. Negri
United States Department of Justice

VERIFICATION

State of Idaho)
) ss.
County of Ada)

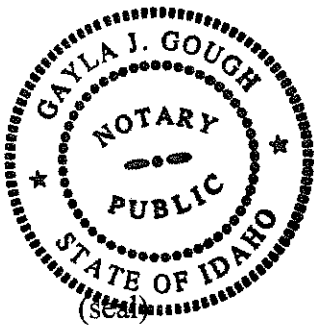
MICHAEL COLLETTE, duly sworn, upon oath, deposes and says:

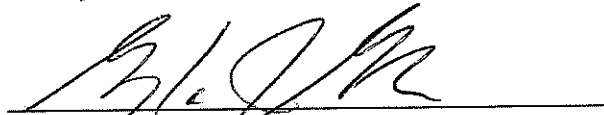
That I am the party/claimant filing this Amended Notice of Claim, as defined by I.C. §§ 42-1401A(1) and (6), and that I have read this Amended Notice of Claim, know its contents and believe that the statements are true to the best of my knowledge.



Michael Collette

Subscribed and sworn to before me on: May 4TH, 2005.





Gayla J. Gough
Notary Public for: Idaho
Residing at: Kuna, Idaho
My Commission Expires: 11-20-2010

CERTIFICATE OF MAILING

I certify that on May 9, 2005, I mailed the original and copies of this STANDARD FORM 4 - Amended Notice of Claim, including all attachments, to the following persons:

1. Original to:

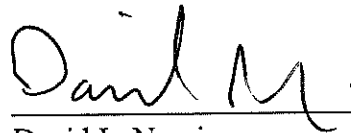
Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
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Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
550 W. Fort St. MSC033
Boise, ID 83724



David L. Negri

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 81-11922

RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 02/22/1897
3. Source of water: Johnson Creek Tributary: Selway River
4. Location Meridian BOISE
Description of Diversion Works: Headgate From: Stream
Location of Point of Diversion
T: 32 N R 07 E S: 14 SENW
Location of Place of Use
T: 32 N R 07 E S: 23 SENW L 3 ac: 0 T: 32 N R 07 E S: 23 SWNW L 1 ac: 0
5. Quantity claimed: Period Quantity For
5/ 01 - 10/ 31 0.60 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.60 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 81
National Forest: Nez Perce
Forest Service Record ID: 1 17 17060302 1 211A
Fenn Ranger Station Pasture