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AUG 19 2005
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 18 2005

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

)
)
) **ORDER GRANTING MOTION TO FILE**
) **AMENDED NOTICE OF CLAIM**
) **For water rights: 81-10303 & 81-11922**
)
)

Clerk
Deputy Clerk

On May 10, 2005, Claimant United States, Department of Agriculture, Forest Service (United States), filed *Motions to File Amended Notices of Claim* for the above-captioned water rights. The *Motions* amended the claims' Places of Use and Points of Diversion. On May 19, 2005, the Court entered a *Notice of Hearing on Motion to Amend Federal Reserved Water Right Claims and Scheduling Order for Further Proceedings if Amended Claims Are Uncontested*. On August 16, 2005, a hearing was held on the *Motions*. Mr. David Negri appeared for the United States to support the *Motion*. No one appeared to oppose the *Motion*.

Following questioning by the Court, the Court has concluded that the Claimant presented proper grounds for the *Motions to File Amended Notices of Claims* to be granted.

Therefore, IT IS ORDERED, that the above water rights are hereby **allowed** to proceed as amended claims in accordance with the Court's *Scheduling Order* of May 19, 2005.

Dated: August 17, 2005.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE AMENDED NOTICE OF CLAIM was mailed on August 18, 2005, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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NOV 17 2004

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: **81-10303**

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: ZION CREEK Tributary: LOCHSA RIVER
4. Location Meridian BOISE
Description of Diversion Works: Diversion Dam From: Stream
Location of Point of Diversion
T: 35 N R 09 E S: 27 SWSW
Location of Place of Use
T: 35 N R 09 E S: 27 SWSW
5. Quantity claimed: Period Quantity For
5 / 01 -- 10 / 31 0.50 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.50 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 81
National Forest: Clearwater
Forest Service Record ID: 1 5 17060303 0 0 A001
Lochsa Administrative Site

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer
STEVEN M. SPENCER
Consumptive Use Water Specialist

Subscribed and sworn to before me on:

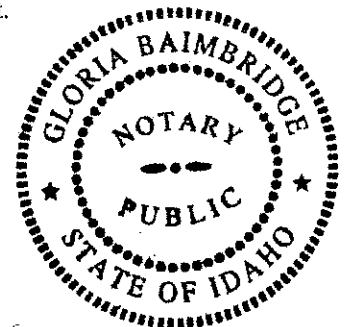
11-17-04
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho - Ada County

My Commission Expires:

10-2-08



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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 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

COPY

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: 22 NENE L 1

Location of Place of Use

T: 32 N R 07 E S: 23 SENW 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

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer

STEVEN M. SPENCER
Consumptive Use Water Specialist

Subscribed and sworn to before me on:

11-17-04

Gloria Baimbridge

Notary Republic

Residing at:

Boise, Idaho - Ada County

My Commission Expires:

10-7-08

