

**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. 25-14090
)
)

) **STANDARD FORM 5**
)

Case No. 39576

) **AMENDED CLAIM**
)

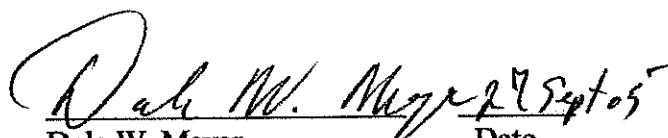
) **FOR DOMESTIC & STOCKWATER RIGHTS**
)

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 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 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 in the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:


Dale W. Meyer Date 27 Sept 05


Marla L. Meyer Date Sept 27 2005


Eric A. Freund Date 9-27-05


Sherry L. Freund Date 9-27-05

OBJECTOR(s):

Eric A. Freund 9-27-05
Eric A. Freund Date

DWR Concurrence:

E. Carl
Ernest Carlsen Date
IDWR Adjudication Supervisor

Candice R. Bromley 9/21/05
Chris M. Bromley Date
Deputy Attorney General
Attorney for IDWR

01/17/2005

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

RIGHT NUMBER: 25-14090

NAME AND ADDRESS: DALE W MEYER
1415 BONE RD
IONA ID 83427

MARLA L MEYER
1415 BONE RD
IONA ID 83427

ERIC A FREUND
1415 BONE RD
IONA ID 83427

SHERRY L FREUND
1415 BONE RD
IONA ID 83427

SOURCE: SPRING

TRIBUTARY: BIRCH CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1927

POINT OF
DIVERSION: T1S R39E S24 NENW
~~T01S R39E S13 SESE~~ Within BINGHAM County
~~T01S R39E S13 SESE~~ Within BINGHAM County
T1S R39E S24 NWNE

Sam
km

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.040 CFS

Domestic use is for 1 home.

Stockwater use is for 200 range cattle.

E.F. 9-27-05 *mm*
LMM
mm
PLACE OF USE: STOCKWATER Within BINGHAM County

T01S R39E S24 ~~T01S R39E S13 SESE~~ NWNE
NENW DOMESTIC Within BINGHAM County
T01S R39E S24 ~~T01S R39E S13 SESE~~ NWNE

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 of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on 9/27/05, 2005, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

DALE W MEYER
ERIC A FREUND
MARLA L MEYER
SHERRY L FREUND
1415 BONE RD
IONA, ID 83427

ERIC FREUND
1424 BONE ROAD
IONA, ID 83427


Signature of person or attorney mailing the form