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APR 12 2006 DEPARTMENT OF
DEPARTMENT OF WATER RESOURCES
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 SRBA) Subcase 82-10099
)
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.

CLAIMANT:

Earl H. Sotin 3-28-06
Earl Sotin Date
Former owner

Esther L. Sotin 3-28-06
Esther Sotin Date
Former owner

OBJECTOR:

Preston Funkhouser
Preston Funkhouser Date
Current Owner

Carter Fritschle 3/31/06
Carter Fritschle Date
Technical Services Manager
Idaho Dept. of Water Resources

 3/31/06
CANDICE M. McHUGH Date
Approved as to form
Attorney for IDWR

CERTIFICATE OF SERVICE

I certify that on March 31, 2006, 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

Preston L Funkhouser
HC 66 Box 287
Kooskia, ID 83538

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

Earl H Sotin
Esther L Sotin
HC 66 Box 287
Kooskia, ID 83539

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



Signature of person mailing this document

03/08/2006

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

RIGHT NUMBER: 82-10099

NAME AND ADDRESS: ~~EARL H SOTIN~~ PRESTON L FUNKHOUSE
HC 66 BOX 287
KOOSKIA ID 83539

~~ESTHER L SOTIN~~
~~HC 66 BOX 287~~
~~KOOSKIA ID 83539~~

SOURCE: SPRINGS
UNNAMED STREAM

TRIBUTARY: SINKS
TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/01/1963

POINT OF
DIVERSION:

T31N R05E S19 ~~NWCWSE~~ NWSESE Within IDAHO County
T31N R05E S19 ~~NWCWSE~~ NWSESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T31N R05E S19 ~~SWSE~~ SESE

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

PARCEL NO. RP31N05E199011A STOCKWATER, 30 HEAD