

**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. 63-31601
	)	
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 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:

Estate of Margaret Elizabeth Odom De Meyer
Arlen A De Meyer, Jr Personal Representative

Arlen A. De Meyer, Jr.
Arlen A De Meyer, Jr Date

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri 1/23/07
David L. Negri Date

IDWR CONCURRENCE:

Vicky Music 1-23-07
Vicky Music Date

ATTORNEY FOR IDWR:

Nick Spencer 1-23-07
Nick Spencer Date

11/30/2006

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

RIGHT NUMBER: 63-31601

NAME AND ADDRESS: ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
ARLEN A DE MEYER JR PERSONAL REPRESENTATIVE
MAYFIELD STAGE HC 34
BOISE ID 83716

SOURCE: SPRING

TRIBUTARY: CRANK CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1945

POINT OF
DIVERSION:

T02N R06E S3 ~~NWSW~~ Within ELMORE County
T02N R06E S3 SENW Within ELMORE County
T02N R06E S3 SENW Within ELMORE County
T02N R06E S3 NESW Within ELMORE County
T02N R06E S3 NESW Within ELMORE County

NBS
JLM
AL-
DN

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	04/01 11/01	0.020 CFS
STOCKWATER	04/01 11/01	0.020 CFS

Domestic use is for internal use in 1 home and does not include irrigation.

PLACE OF USE: STOCKWATER in ELMORE County

T02N R06E S03 NWNE T02N R06E S03 SENW

DOMESTIC in ELMORE County

T02N R06E S03 SENW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for up tp 25 range cattle and/or horses.

CERTIFICATE OF MAILING

I certify that on January 23, 2007, I mailed the original and copies of this form, including all attachments, 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, ID 83303-2707

2. Copy to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase (insert names and addresses here):

Estate Of Margarette Elizabeth Odom De Meyer
Arlen A De Meyer, Personal Representative
Mayfield Stage HC 34
Boise, ID 83716



Signature of person mailing documents