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DEPARTMENT OF
NATURAL RESOURCES

Movant:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

MATTHEW J. McKEOWN
Acting Assistant Attorney General
United States Department of Justice
Environment and Natural Resources Division

DAVID L. NEGRI
United States Department of Justice
Environment and Natural Resources Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724
(208) 333-1936; facsimile (208) 334-1414
ISB# 6697

**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. 77-13931
		)	
Case No:	39576	)	STANDARD FORM 4
		)	
		)	MOTION TO FILE:
		)	AMENDED NOTICE OF CLAIM
		)	

MOTION

Pursuant to I.R.C.P. 15(a), SRBA Administrative Order 1, Rules of Procedure, and the *Scheduling Order Re: Deadline to File Motions for Amended Claims to Federal Reserve Water Rights* (United States Department of Agriculture and Agricultural Research Service) dated October 22, 2001, 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. 77-13931, 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 priority date for this claim is June 3, 1905.

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 14 day of February, 2007

Respectfully submitted,

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

David L. Negri
United States Department of Justice

VERIFICATION

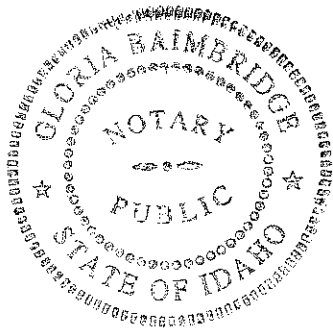
State of Idaho)
) ss.
County of Ada)

STEVEN M. SPENCER, 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.

Steven M. Spencer
Steven M. Spencer

Subscribed and sworn to before me on: February 13, 2007



Gloria Baimbridge
Gloria Baimbridge
Notary Public for: Idaho
Residing at: Boise, Idaho
My Commission Expires: 10-17-2008

CERTIFICATE OF MAILING

I certify that on February 14, 2007, 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:

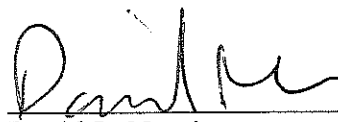
Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
P.O. Box 83720
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: **77-13931**

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: 06/03/1905

3. Source of water: SPRING

Tributary: INDIAN CREEK

4. Location Meridian BOISE

Description of Diversion Works: Headbox

From: Spring

Location of Point of Diversion

T: 19 N R 06 E S: 21 SENW

Location of Place of Use

T: 19 N R 06 E S: 21 SENW

5. Quantity claimed:

Period

Quantity

For

4 / 01 -- 12 / 31

0.02 CFS

Administrative

6. Total Consumptive Use Claimed for Present and Future Use is:

0.02 CFS

7. Present and future uses to which the water is or will be used:

Administrative

8. Remarks:

State Basin: 77

National Forest: Payette

Forest Service Record ID: 4 12 17060208 25 0 0609

Lower Krassel Guard Station.

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:

February 13, 2007

Gloria Baimbridge

Notary Republic

Residing at:

Boise, ID

My Commission Expires:

10/17/08

