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MAR 15 2007

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 SRBA     | ) | Subcase No. 27-4126              |
|                | ) |                                  |
| Case No. 39576 | ) |                                  |
|                | ) | STANDARD FORM 5                  |
|                | ) |                                  |
|                | ) | <u>AMENDED CLAIM</u>             |
|                | ) | 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 one/or one federal reserved 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 decreed as described in the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.**

**CLAIMANT:**

P. Thomas Blotter Family Ltd Partnership

*P. Thomas Blotter 31 Jan 07*

By: \_\_\_\_\_ Date

Title: *General Partner*

**OBJECTOR:**

Jeanette Wolfley 2/12/07  
Jeanette Wolfley Date  
Attorney for Shoshone-Bannock Tribes

**RESPONDENT:**

David J. Barber 3/14/07  
David J. Barber Date  
Attorney for State of Idaho

**IDWR Concurrence:**

Cindy E. Bird 1/29/07  
Cindy Bird Date  
Senior Water Resource Agent

G. L. Baxter 1/29/07  
Garlick L. Baxter Date  
Deputy Attorney General  
Attorney for IDWR

01/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-4126

NAME AND ADDRESS: P THOMAS BLOIER FAMILY LTD PARTNERSHIP  
C/O P THOMAS BLOTTER  
3250 N 1200 E  
LOGAN UT 84321

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.020 CFS  
4.00 AFW

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

PRIORITY DATE: 04/10/1922

POINT OF  
DIVERSION:

109S R44E S5 SWSWNE End of Stream Flow Within CARIBOU County  
T09S R44E S5 SWSENE Begin of Stream Flow Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS<br>4.00 AFW |

PLACE OF USE: STOCKWATER in CARIBOU County

109S R44E S05 SWNE T09S R44E S05 SENE

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

300 RANGE CATTLE 000000021080

CERTIFICATE OF MAILING

I certify that on March 19, 2007, 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. Copies to:

SHOSHONE-BANNOCK TRIBES  
Represented by:  
JEANETTE WOLFLEY  
SPECIAL COUNSEL  
SHOSHONE-BANNOCK TRIBE  
202 N ARTHUR  
POCATELLO, ID 83202

STATE OF IDAHO  
Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

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

P THOMAS BLOTTER FAMILY LTD  
PARTNERSHIP  
C/O P THOMAS BLOTTER  
3250 N 1200 E  
LOGAN, UT 84321

Deserae Kramer  
Signature of person or attorney mailing form