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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2007 APR 16 AM 10 55

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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. 27-12062
	)	
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:

Angelo Trujillo 3-25-07
Angelo Trujillo, Jr. Date

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

Garrick L. Baxter 1-26-07
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-12062

NAME AND ADDRESS:

ANGELO TRAVIS JR
9103 W POCA TELLO CREEK RD
POCA TELLO ID 83201

SOURCE: Source:
UNNAMED STREAM

Tributary:
SOUTH FORK ROSS FORK

QUANTITY: 0.020 CFS
1.790 AFY

~~0.000 AFY~~

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

PRIORITY DATE: 05/29/1916

POINT OF DIVERSION:

T05S R35E S25 NESENE End of Stream Flow
Within BANNOCK County
105S R35E S25 SWNWSE Begin of Stream Flow
Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

STOCKWATER

05/01 10/31

0.020 CFS

1.79 AFY

~~01/01 12/31~~

PLACE OF USE:

STOCKWATER

within BANNOCK County

105S R35E S25 SENE

T05S R35E S25 NESE

T05S R35E S25 NWSE

ACRES TOTAL

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

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

Stockwater use is for 160 cow-calf pairs.

~~Instream stockwater.~~

a. j.

AB
CB

2/B

CERTIFICATE OF MAILING

I certify that on April 12, 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

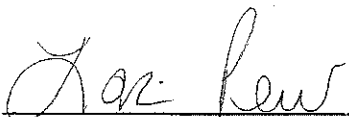
2. Copies to:

SHOSHONE-BANNOCK TRIBES
Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARIHUR
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

ANGELO TRAYIS JR
9103 W POCATELLO CREEK RD
POCATELLO, ID 83201


Signature of person or attorney mailing form