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MAY 18 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. 45-04213

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.

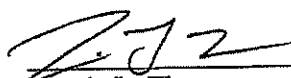
The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

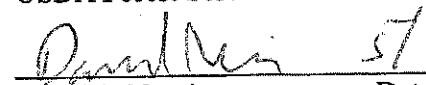
CLAIMANT:

Joseph E Tugaw

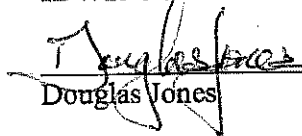
OBJECTOR:

United States on behalf of the
USDA Forest Service

 4/20/07
Travis L. Thompson Date
Attorney for Joseph E. Tugaw

 5/7
David L. Negri Date
Attorney for the United States

IDWR CONCURRENCE:

 4/30/07
Douglas Jones Date

ATTORNEY FOR IDWR:

 5-4-07
Nick Spencer Date

08/24/2004

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

Right Number: 45-4213

Name and Address: JOSEPH E TUGAW
3277 WOODRIDGE DR
TWIN FALLS, ID 83301

Source: SPRING Tributary: EAST FORK DRY CREEK

Quantity: .02 CFS

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

227
TJ
NBS
DN

Priority Date: 01-01-1900

Diversion Point: T13S R19E S36 ~~NWSESE~~ Within Cassia County
NESE
T14S R20E S06 ~~SWSWNW~~ Lot 5 Within Cassia County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic	01-01 TO 12-31	.02 CFS
	Stockwater	01-01 TO 12-31	.02 CFS

Place of Use: Stockwater Within Cassia County
T13S R19E S36 ~~SESE~~
NESE
T14S R20E S06 ~~SWNW~~ Lot 5

Domestic Within Cassia County
T14S R20E S06 ~~SWNW~~ Lot 5

Other Provisions Necessary for Definition / 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

CERTIFICATE OF MAILING

I certify that on May 17, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

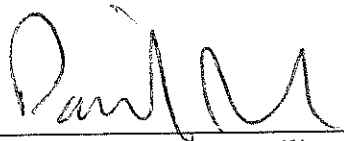
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Joseph E. Tugaw
C/O Travis Thompson
Barker, Rosholt & Simpson
P.O. Box 485
Twin Falls, ID 83303-0485

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



Signature of person mailing documents