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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. 45-12900
	)	
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

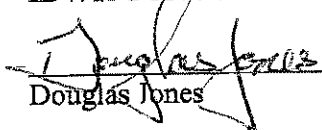
 4/20/07
Travis L. Thompson Date
Attorney for Joseph E. Tugaw

OBJECTOR:

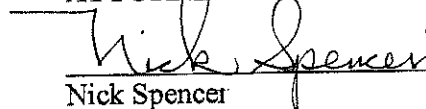
United States on behalf of the
USDA Forest Service

 5/10/07
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

08/31/2006

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

Right Number: 45-12900

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

Source: SPRINGS Tributary: SINKS

Quantity: .02 CFS

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

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH 45-12069, 45-12178, 45-12179,
45-12226, 45-12297, 45-12298 AND 45-12300, AND IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000
GALLONS PER DAY.

Priority Date: ~~06-11-1905~~
04-30-1880

Diversion Point:	T13S R19E S03	SESWSW Within Cassia County
	S10	SENENW Within Cassia County
	S11	SENESW Within Cassia County
	S13	SWSWSW Within Cassia County
	S15	SWNESE Within Cassia County
	S23	NESWNE Within Cassia County
	S24	SESENE Within Cassia County
	S25	SESWSW Within Cassia County
	S26	SENENE Within Cassia County
	S36	SESENE Within Cassia County
	R20E S03	SWNENW Within Cassia County
	S11	NWNENE Within Cassia County
	S15	NESENE Within Cassia County
	S16	SESENE Within Cassia County
	S17	NENENW Within Cassia County
	S19	NWNENE Within Cassia County
	S32	SWNENE Within Cassia County
	T14S R20E S06	~~SESESE Within Cassia County~~
		SWNWNW Within Cassia County
		NWSESW Within Cassia County
		NWSWNW Within Cassia County
		SENWNE Within Cassia County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	~~04-01 TO 11-01~~ 05-01 TO 10-31	.02 CFS

Place of Use:	Stockwater	Within Cassia County
	T13S R19E S03	SWSW
	S10	NENW
	S11	SWSW
	S13	NESE
	S15	SWNE
	S23	SENW
	S24	SWSW

08/31/2006

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

	S25	NENE	
	S26	SENW	
	S36	NENW	
R20E	S03	NENE	SENE
	S11	SENE	
	S15	NENW	
	S16	NENE	NWNE
		SESE	
	S17	NWNW	
	S19	SESW	
	S32	SWNW	
T14S	R20E	S06	NWNE

Other Provisions Necessary for Definition / Administration of this Water Right:

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND JOE TUGAW FILED IN THE OFFICE OF THE CASSIA COUNTY RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT NO: 289179.

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

DI NBS
AN

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:

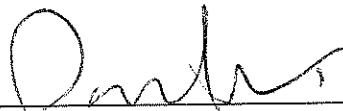
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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