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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. 45-12903

Case No. 39576

Standard Form 5

AMENDED CLAIM
FOR DOMESTIC & STOCKWATER RIGHTS

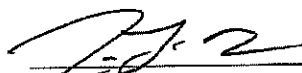
This form is used to report the stipulated elements of one "domestic and/or stockwater" right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge 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.

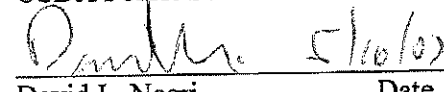
CLAIMANT:

Joseph E Tugaw

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

OBJECTOR:

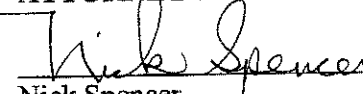
United States on behalf of the
USDA Forest Service

 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: 45-12903

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

Source: COYOTE SPRING Tributary: SINKS
POCKET SPRING Tributary: SINKS
SPRINGS Tributary: SINKS
CABIN 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 45-12218, 45-12263, 45-12274, 45-12862 AND 45-12868 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~~
04-30-1875

Diversion Point: I13S R20E S14 SENENE Within Cassia County
NWNNE Within Cassia County
S15 SENWSE Within Cassia County
S16 SESESE Within Cassia County
T14S R19E S13 NENENW Within Cassia County
S24 NWNWSE Within Cassia County
S25 NSESENW Within Cassia County
R20E S18 SENWSW Within Cassia County
S19 SWSWNW Within Cassia County

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

Place of Use: Stockwater Within Cassia County
T13S R20E S14 NENE NWNE
S15 NWSE
S16 SESE
I14S R19E S13 NENW
S24 NWSE
S25 SENW
R20E S18 NWSW
S19 SWNW

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

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:

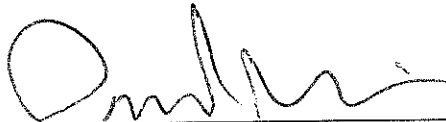
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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