

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAY 25 AM 11 23

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. 27-11998
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	<u>AMENDED CLAIM</u>
	)	FOR DOMESTIC & STOCKWATER RIGHT

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/RESPONDENT:

CLAIMANT:

Lynn Rasmussen 3/28/07
Lynn Rasmussen Date

Val Gibson 7-28-07
Val Gibson Date

OBJECTOR:

Jeannette Wolfley 4/14/07
Jeannette Wolfley Date
Attorney for Shoshone-Bannock Tribes

RESPONDENT:

David J. Barber 5/15/07
David J. Barber Date
Attorney for State of Idaho

IDWR Concurrence:

Ernest Carlsen 3-28-07
Ernest Carlsen Date
Senior Water Resource Agent

Garrick L. Baxter 3/29/07
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-11998
NAME AND ADDRESS:

LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE ID 83241-5352
VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS ID 83276

LR 3/28/07
1.6 7-28-07

SOURCE: Source: Cabin Creek Tributary:
SINKS

QUANTITY: 0.020 CFS
0.920 AFY 0.000 AFY

Right Nos. 27-4011, 27-11998 and 27-11999 are limited to a total combined daily diversion volume of 13,000 gallons.

Right Nos. 27-4011, 27-11998 and 27-11999 are limited to a total combined annual diversion volume of 0.92 AF for stockwater.

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

PRIORITY DATE: 09/24/1924

POINT OF DIVERSION:

107S R45E S31 SENENW Begin of Stream Flow Within CARIBOU County
T07S R45E S31 Lot 1 NWNWNW End of Stream Flow Within CARIBOU County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
STOCKWATER		01/01-12/31	0.020 CFS 0.92 AFY
		05/01 11/01	

PLACE OF USE: STOCKWATER within CARIBOU County
T07S R45E S31 NENW
107S R45E S31 Lot 1 NWNW
ACRES TOTAL

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 360 range cattle.

CERTIFICATE OF MAILING

I certify that on May 23, 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

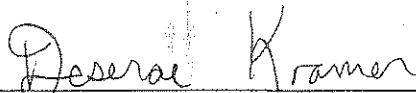
STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

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

VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS, ID 83276

LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE, ID 83241-5352

LYNN RASMUSSEN
2204 LAGO-LIBERTY RD
GRACE, ID 83241-5352



Signature of person or attorney mailing form