

COPY

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

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In Re SRBA

Subcase No. 27-12082

JUN 06 2007

Case No. 39576

DEPARTMENT OF
WATER RESOURCES

STANDARD FORM 5

AMENDED CLAIM

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(s):

Lynn Rasmussen 4/28/07
Lynn Rasmussen Date

Val Gibson 7-28-07
Val Gibson Date

OBJECTOR:

Jeanette Wolfley 4/11/07
Jeanette 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 5-29-07
Ernest Carlsen Date
Senior Water Resource Agent

Garrick L. Baxter 3/2/07
Garrick L. Baxter Date
Deputy Attorney General
Attorney for IDWR

G2/20/2007

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 27-12082

NAME AND ADDRESS: LYNN RASMUSSEN
166 LAGO-LIBERTY RD
GRACE ID 83241-5352

VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS ID 83276

LR
3/28/07
UG 3-28-07
ENC

SOURCE: LIMOLY CREEK

TRIBUTARY: DIAMOND CREEK

QUANTITY: 0.020 CFS
0.22 AFY

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

PRIORITY DATE: 05/01/1924

POINT OF
DIVERSION:

T07S R44E S13 NESWSE Begin of Stream Flow Within CARIBOU County
T07S R44E S13 NWSWSE End of Stream Flow Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	<u>01/01 12/31</u>	0.020 CFS
	<u>05/01 10/31</u>	<u>0.22 AFY</u>

PLACE OF USE: STOCKWATER in CARIBOU County
T07S R44E S13 SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 40 range cattle.

CERTIFICATE OF MAILING

I certify that on May 29, 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

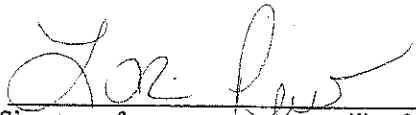
STATE OF IDAHO

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


Signature of person or attorney mailing form