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DEPARTMENT OF
WATER RESOURCES

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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. 24-04023

)

) Standard Form 5

Case No. 39576

)

)

) 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 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 in the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Richard A. Lagomarsino

Richard A. Lagomarsino 6/11/07
Richard A. Lagomarsino Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 6/22/07
Larry A. Brown FWP Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

Cindy Bird 6/11/07
Cindy Bird Date
Senior Water Resource Agent

IDWR CONCURRENCE:

Garrick L. Baxter 6-6-07
Garrick L. Baxter Date
Deputy Attorney General

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

RIGHT NUMBER: 24-4023

NAME AND ADDRESS: ~~WILLIAM B ROBISON~~ RICHARD A LAGOMARSINO
~~841 N 3900 E~~ 7625 FOOTHILL ROAD
~~RIGBY ID 83442~~ VENTURA CA 93004-1124

SOURCE: HARDMANS HOLLOW CREEK TRIBUTARY: CROW CREEK
UNNAMED STREAM TYGEE CREEK
UNNAMED STREAM HARDMANS HOLLOW CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/01/1932

POINT OF DIVERSION: Within CARIBOU County

<u>T09S</u>	<u>R46E</u>	<u>S11</u>	<u>SESE</u>	<u>INSTREAM BEGINNING POINT</u>
<u>T08S</u>	<u>R46E</u>	<u>S27</u>	<u>NESE</u>	<u>INSTREAM BEGINNING POINT</u>
<u>T08S</u>	<u>R46E</u>	<u>S27</u>	<u>NESE</u>	<u>INSTREAM ENDING POINT</u>
<u>T08S</u>	<u>R46E</u>	<u>S34</u>	<u>SENE</u>	<u>INSTREAM BEGINNING POINT</u>
<u>T08S</u>	<u>R46E</u>	<u>S34</u>	<u>SENE</u>	<u>INSTREAM ENDING POINT</u>
<u>T08S</u>	<u>R46E</u>	<u>S35</u>	<u>LOT 3 (NWNESW)</u>	<u>INSTREAM BEGINNING POINT</u>
<u>T09S</u>	<u>R46E</u>	<u>S02</u>	<u>NWNWNW</u>	<u>INSTREAM ENDING POINT</u>
<u>T09S</u>	<u>R46E</u>	<u>S02</u>	<u>NWSWNW</u>	<u>INSTREAM BEGINNING POINT</u>
<u>T09S</u>	<u>R46E</u>	<u>S02</u>	<u>SWSWNW</u>	<u>INSTREAM ENDING POINT</u>
<u>T09S</u>	<u>R46E</u>	<u>S11</u>	<u>LOT 1 (SWNENW)</u>	<u>INSTREAM BEGINNING POINT</u>
<u>T09S</u>	<u>R46E</u>	<u>S11</u>	<u>LOT 1 (SWNENW)</u>	<u>INSTREAM ENDING POINT</u>

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 05/01 11/15 0.020 CFS

PLACE OF USE: STOCKWATER in CARIBOU County

<u>T08S</u>	<u>R46E</u>	<u>S27</u>	<u>SESE</u>
<u>T08S</u>	<u>R46E</u>	<u>S27</u>	<u>SWSE</u>
<u>T08S</u>	<u>R46E</u>	<u>S34</u>	<u>NENE</u>
<u>T08S</u>	<u>R46E</u>	<u>S34</u>	<u>SENE</u>
<u>T08S</u>	<u>R46E</u>	<u>S34</u>	<u>NESE</u>
<u>T08S</u>	<u>R46E</u>	<u>S34</u>	<u>SESE</u>

<u>T08S</u>	<u>R46E</u>	<u>S35</u>	<u>LOT 3 (NESW)</u>
T08S	R46E	S35	SWSW
T08S	R46E	S35	<u>LOT 4 (SESW)</u>
<u>T09S</u>	<u>R46E</u>	<u>S02</u>	<u>NWNW</u>
<u>T09S</u>	<u>R46E</u>	<u>S02</u>	<u>SWNW</u>
<u>T09S</u>	<u>R46E</u>	<u>S11</u>	<u>LOT 1 (NENW)</u>

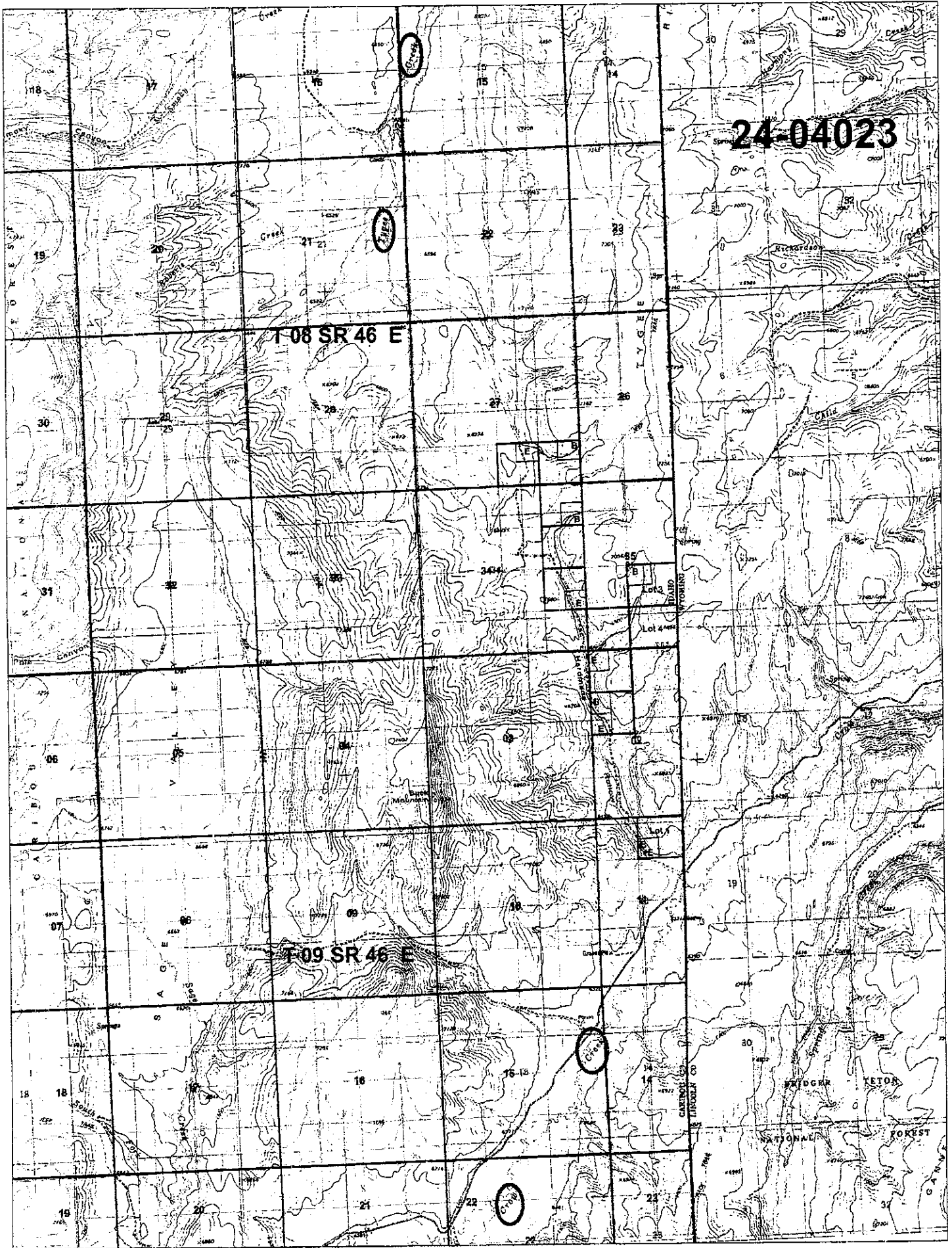
CB
AN
fwp
NBS

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 up to ~~400~~ 500 range cattle.



CERTIFICATE OF MAILING

I certify that on June 26, 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, Idaho 83303-2707

2. Copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

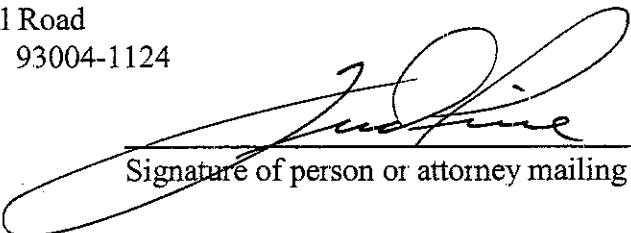
IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

William B. Robinson
841 N. 3900 E.
Rigby, ID 83442

Richard A. Lagomarsino
7625 Foothill Road
Ventura, CA 93004-1124


Signature of person or attorney mailing the form