

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. 78-12112
	)	
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:

Shingle Creek LLC

Willis D. DeVeney 9/7/07
Willis D. DeVeney, Manager Date

IDWR Concurrence:

Kenneth Knoblock 9/5/07
Kenneth Knoblock Date

OBJECTOR:

USDA Forest Service

David L. Negri 9/12/07
David L. Negri Date
Attorney for the United States

Garrick L. Baxter 9/10/07
Garrick L. Baxter Date
Deputy Attorney General

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

Right Number: 78-12112
Name and Address: SHINGLE CREEK LLC
PO BOX 1160
RIGGINS, ID 83549
Source: SOUTH FORK SHINGLE CREEK Tributary: SHINGLE CREEK
Quantity: .02 CFS

This right shall be used in conjunction with right no. 78-10626
and is limited to a total combined diversion rate of .02 cfs and
a total quantity of 12,000 gallons per day.

Priority Date: 05-09-1906

Diversion Point: T23N R01W S01 ~~S01~~ End of Stream Flow Within IDAHO County

S01
S09 SWSW Begin of Stream Flow Within IDAHO County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	06-01 TO 10-31	.02 CFS

Place of Use:	Stockwater	Within Idaho County
	T23N R01W S01	~~S01~~ SWNW
	S02	SENE
	S03	SESE
	S09	NENE
	S10	NENW

Other Provisions Necessary for Definition / Administration of this Water Right:
The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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 22, 2002 between the United States of America and
Willis Deveny, Betty Deveny and Shingle Creek LLC, filed in the
office of the Idaho County Recorder and recorded on October 31,
2002 as instrument no. 225122, the conditions of such stipulation
to apply fully to this water right.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

CERTIFICATE OF MAILING

I certify that on September 12, 2007, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

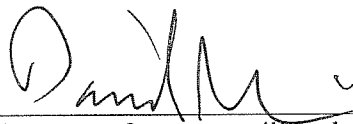
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Shingle Creek LLC
P.O. Box 1160
Riggins, ID 83549

IDWR Document Depository
P O Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment and Natural Resources Section
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person mailing the form

FAX'd page in SFS is poor. This is a more legible copy.

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

Right Number: 78-12112

Name and Address: SHINGLE CREEK LLC
PO BOX 1160
RIGGINS, ID 83549

Source: SOUTH FORK SHINGLE CREEK Tributary: SHINGLE CREEK

Quantity: .02 CFS

This right shall be used in conjunction with right no. 78-10626 and is limited to a total combined diversion rate of .02 cfs and a total quantity of 13,000 gallons per day.

Priority Date: 05-09-1906

Diversion Point: T23N R01W S01 ~~SWNE~~ End of Stream Flow Within IDAHO County
SENW
S09 SWSW Begin of Stream Flow Within IDAHO County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Stockwater	06-01 TO 10-31	.02 CFS

Place of Use:	Stockwater	Within Idaho County
	T23N R01W S01	~~SWNE~~ SENW <i>Ken</i> SWNW
	S02	SWNE SENE
		NESW NWSW
		NESE NWSE
	S03	NESE SWSE
		SESE
	S09	NENE NWNE
		SWNE SENW
		NESW NWSW
		SWSW
	S10	NWNE NENW
		NWNW

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

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

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 28, 29, 2002 between the United States of America and Willis DeVeney, Betty DeVeney and Shingle Creek LLC, filed in the office of the Idaho County Recorder and recorded on October 31, 2002 as Instrument No. 425169; the conditions of such stipulation to apply fully to this water right.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT