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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. 27-12079

)

) **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:

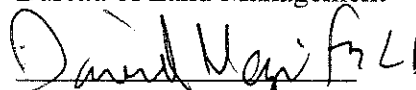
Doris Bollar-Hayden


Doris Bollar-Hayden

9/12/07
Date

OBJECTOR:

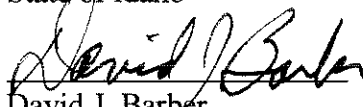
United States on behalf of the
Bureau of Land Management

 11/19/07
Larry A. Brown Date

Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

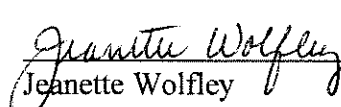
RESPONDENT:

State of Idaho

 11/14/2007
David J. Barber Date
Deputy Attorney General
Office of the Attorney General

OBJECTOR:

Shoshone-Bannock Tribes

 11/01/07
Jeanette Wolfley Date
Attorney

IDWR CONCURRENCE:

Cindy E Bird

Cindy Bird
Water Resource Agent

6/7/07

Date

IDWR CONCURRENCE:

Garriek L. Baxter

Garriek L. Baxter
Deputy Attorney General

10/12/07

Date

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

RIGHT NUMBER: 27-12079

NAME AND ADDRESS: DORIS BOLLAR HAYDEN
PO BOX 598
SODA SPRINGS ID 83276

SOURCE: CALDWELL CREEK
UNNAMED STREAM

TRIBUTARY: SLUG CREEK
CALDWELL CREEK

QUANTITY: 0.020 CFS
1.97 AFY

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

PRIORITY DATE: 08/02/1945

POINT OF DIVERSION: Within CARIBOU County
T08S R43E S13 NENWNW End of Stream Flow
T08S R44E S7 NENWSE Begin of Stream Flow

<Caldwell Creek>

T08S R43E S13 NENWNE Begin of Stream Flow
T08S R43E S13 NWNENW End of Stream Flow

T08S R44E S07 SWSENE Begin of Stream Flow
T08S R44E S07 NWSESW End of Stream Flow

<Unnamed Stream>

T08S R44E S07 NWSESE Begin of Stream Flow
T08S R44E S07 SENWSE End of Stream Flow

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 05/01 11/30 0.020 CFS
1.97 AFY

PLACE OF USE: STOCKWATER Within CARIBOU County
T08S R43E S12 SWSE <BLM>
T08S R43E S12 SESE <BLM>
T08S R43E S13 NWNE <Canyon Creek>
T08S R43E S13 NENW <Canyon Creek>
T08S R43E S13 NWNW <Allen & Sons>
T08S R44E S07 SWNE <Canyon Creek>
T08S R44E S07 SENE <Canyon Creek>
T08S R44E S07 NESW <Canyon Creek>
T08S R44E S07 SESW <Canyon Creek>
T08S R44E S07 SWSW <P4 Production>
T08S R44E S07 NESE <no stream>
T08S R44E S07 NWSE <Canyon Creek & Unnamed Stream>
T08S R44E S07 SWSE <Unnamed Stream>
T08S R44E S07 SESE <Unnamed Stream>

JB
CB
OK
DN
2/B

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

The quantity of water decreed for this water right 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 250 cattle

CERTIFICATE OF MAILING

I certify that on 11/19, 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

Doris Bollar-Hayden
P.O. Box 598
Soda Springs, Idaho 83276

Jeanette Wolfley
202 N. Arthur
Pocatello, Idaho 83204
Of Attorneys for
Shoshone-Bannock Tribe


Signature of person or attorney mailing the form