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AUG 08 2008

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. 45-12689

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 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/OBJECTOR:

United States on behalf of the
Bureau of Land Management

David Negri for 8/6/08

Larry A. Brown *MB* Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

OBJECTOR:

State of Idaho

David J. Barber 8/4/08

David J. Barber Date
Deputy Attorney General
Office of the Attorney General, State of Idaho

IDWR CONCURRENCE:

Douglas Jones 8/5/08

Douglas Jones Date
Technical Engineer 1

IDWR CONCURRENCE:

Nicholas B. Spencer 8-5-08

Nicholas B. Spencer Date
Deputy Attorney General

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

RIGHT NUMBER: 45-12689

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: UNNAMED STREAM(S) TRIBUTARY: COLD CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: ~~01/01/1873~~ 06/28/1934

POINT OF DIVERSION: T15S R22E S22 Within CASSIA County
SESESE (INSTREAM BEGINNING POINT)
SNNWSW (INSTREAM ENDING POINT)
S23 NESWSW (INSTREAM BEGINNING POINT)
NWSWSW (INSTREAM ENDING POINT)
S25 NWSESW (INSTREAM BEGINNING POINT)
SESWSW (INSTREAM ENDING POINT)
SWSWSW (INSTREAM BEGINNING POINT)
NENWSW (INSTREAM BEGINNING POINT)
S26 NESESE (INSTREAM ENDING POINT)
SNNWSW (INSTREAM BEGINNING POINT)
NWNWSW (INSTREAM ENDING POINT)
S27 NWNWSW (INSTREAM ENDING POINT)
S34 SWSWNE (INSTREAM BEGINNING POINT)
LOT 1 (NWSESE) (INSTREAM BEGINNING POINT)
SESENE (INSTREAM ENDING POINT)
S35 SWSWNE (INSTREAM BEGINNING POINT)
NENWSW (INSTREAM ENDING POINT)

THERE ARE TWO INSTREAM ENDING POINTS OF DIVERSION IN T15S
R22E S26 NESESE.

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 01-01 12-31 0.02 CFS
PLACE OF USE: STOCKWATER Within CASSIA County
T15S R22E S22 NWSE
NESE
S23 SWSW

S25 NWSW
 SWSW
 SESW

S26 NWSW
 SESE

S27 NESW
 SESW
 NWSE

S34 NENE
 NWNE
 SWNE
 SENE
 NENW
 SENW
 NESE
 NWSE

Lot 1 (SESE)

S35 SWNE
 SWNW
 SENW
 NWSW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
 BLM RECORD ID = 4502480106
 ~~CATTLE/850 SHEEP/1,250~~

[Handwritten signatures and initials]
NBS
ON

CERTIFICATE OF MAILING

I certify that on 8/7, 2008 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

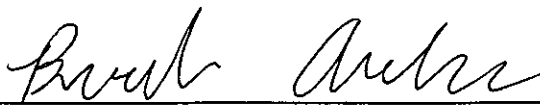
2. Copy to:

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

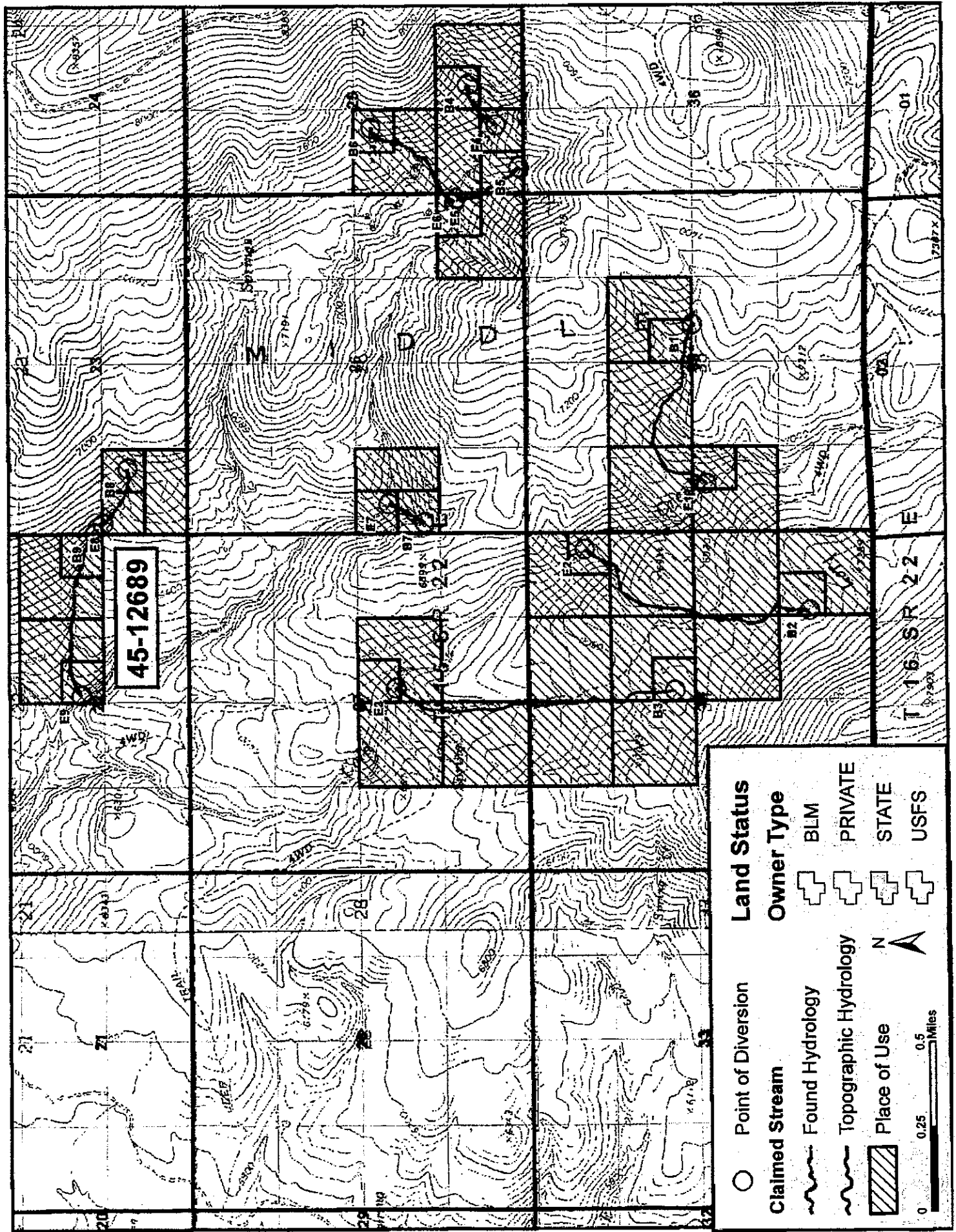
IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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



Signature of person or attorney mailing the form

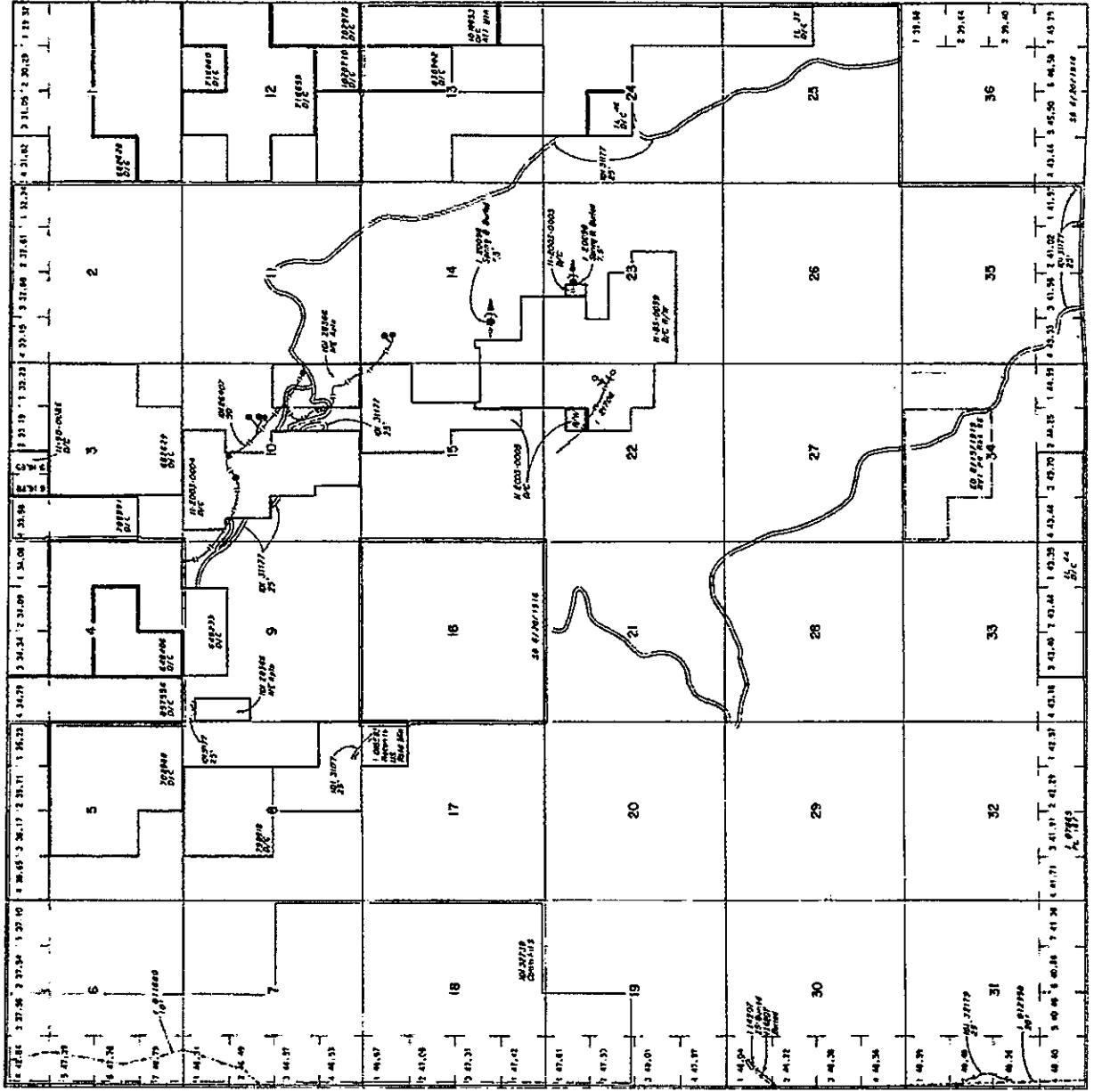


TOWNSHIP 15 SOUTH RANGE 22 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY Q31
BUNLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEVERED TRACTS			
TRACT NO.	SECTION	ORIGINAL SURVEY	REMARKS
1	1		
2	1		
3	1		
4	1		
5	1		
6	1		
7	1		
8	1		
9	1		
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33	1		
34	1		
35	1		
36	1		

LOANS, ETC., BY THE STATE OF IDAHO, 1913
Completed 11/20/1939. All PD included per B.E.

FOR OWNERS EFFECTING DISPOSAL OR USE OF
UNRECOVERED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
AUG 23 2004	

161 47 41 17" N
162 113 04 17" E

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-
DRAWAL NOTICE.

SCALE IN FEET
0 10 20 30 40