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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. 45-12558

)
) 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/OBJECTOR:

United States on behalf of the
Bureau of Land Management

David M. Brown for LRB

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

11/5/09
Date

OBJECTOR:

State of Idaho

David J. Barber

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

4/4/08
Date

IDWR CONCURRENCE:

Douglas Jones

Douglas Jones
Technical Engineer 1

12/10/08
Date

IDWR CONCURRENCE:

Nicholas B. Spencer

Nicholas B. Spencer
Deputy Attorney General

12-11-08
Date

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

RIGHT NUMBER: 45-12558

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: BIRCH CREEK

TRIBUTARY: GOOSE 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:

T16S R22E S32
R21E S23

SWSESE
NWSESW

Within CASSIA County
(INSTREAM BEGINNING POINT)
(INSTREAM ENDING POINT)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
~~05-01~~ ~~10-31~~
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER

Within CASSIA County

T16S R21E S23

SESW
SWSE

S25

NESW
NWSW
SESW
SWSE
SESE

S26

NWNE
SWNE
SENE
NENW
NESE

R22E S30 Lot 4 (SWSW)

S31

NWNE
SWNE
NENW
Lot 1 (NWNW)
NESE
NWSE

S32

NESW

NWSW
SWSW
SESW
SWSE
SESE

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 = 4502808070
~~CATTLE#750~~

DX MB
2/13 NBS
DN

CERTIFICATE OF MAILING

I certify that on Jan 5⁹, 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

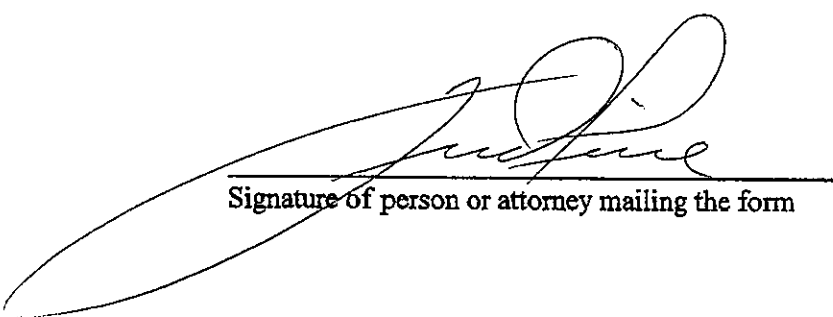
2. Copy to:

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