

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED _____

2009 SEP 16 AM 10 10

**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 Nos. 67-14961

) (Split from 67-14396)

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 one/or one federal reserved right and to amend the Notice of Claim. Submission of this form will not automatically resulting 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 Basin 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.

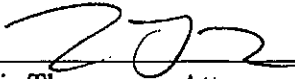
The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described in the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

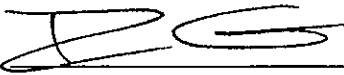
A L Cattle

OBJECTOR:

State of Idaho
Department of Lands


Travis Thompson, Attorney

9/8/09
Date


David Stanish, Attorney

9/1/09
Date

IDWR Concurrence:

Monica P Van Bussum 9/10/2009
Monica Van Bussum Date
Senior Water Agent

Garrick Baxter 9/10/09
Garrick Baxter Date
Deputy Attorney General

CERTIFICATE OF MAILING

I certify that on 9/15, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

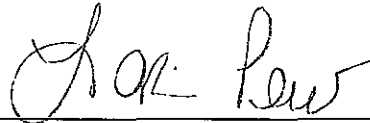
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

STATE OF IDAHO DEPT OF LANDS
Represented by:
STATE OF IDAHO
JRW BUILDING, SECOND FLOOR
700 W STATE ST, PO BOX 44449
BOISE, ID 83711-4449

A L CATTLE INC
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098



Signature of person or attorney mailing the form

07/10/2009

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

RIGHT NUMBER: 67-14961

NAME AND ADDRESS: A L CATTLE INC
PO BOX 608
EMMETT ID 83617

STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SHEEP CREEK
NORTH CRANE CREEK

TRIBUTARY: NORTH CRANE CREEK
TRIBUTARY: CRANE CREEK

QUANTITY: 0.020 CFS

This right shall be used in conjunction with water right nos. 67-14960 and 67-14968. 67-14960, 67-14961 and 67-14968 are limited to a total combined diversion rate of 0.02 cfs and a total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 10/07/1909

POINT OF
DIVERSION:

T12N R01W S36 SESE Begin of Stream Flow Within WASHINGTON County
T12N R01W S36 NWNW End of Stream Flow Within WASHINGTON County

T12N R01W S36 NWNW Begin of Stream Flow Within WASHINGTON County
T12N R01W S36 NWNW End of Stream Flow Within WASHINGTON County

727
CB
MVB

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T12N R01W S36	NWNE	T12N R01W S36	SWNE
T12N R01W S36	SENE	T12N R01W S36	NENW
T12N R01W S36	NWNW	T12N R01W S36	NESE
T12N R01W S36	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.

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.

The ownership of water right no. 67-14961 is governed by a private agreement executed by the Idaho Department of Lands and A L Cattle Inc. on July 15, 2009.

Access to the point of diversion and place of use of water right no. 67-14961 is governed by a private agreement executed by the Idaho Department of Lands and A L Cattle Inc. on July 15, 2009.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 67-14396.

Stockwater use is for 2000 range cattle.