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DEPARTMENT OF
WATER RESOURCES

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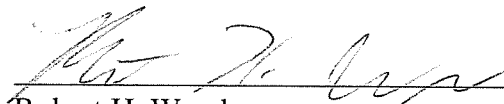
Attorney for Claimants

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	)	Subcases: 27-11269, 27-11271, 27-11273
	)	
	)	
Case 39576	)	
	)	MOTION TO ALTER OR AMEND THE
	)	SPECIAL MASTER'S
	)	RECOMMENDATION
_____	)	

The Claimants, Bear Lake Grazing, hereby move the court to alter or amend the Special Master Report pursuant to Administrative Order #1, Rule 13(a) to include the quantity and place of use originally claimed. This motion will be supported by an affidavit of Lynn Keetch.

Dated this 27th day of May, 2011.



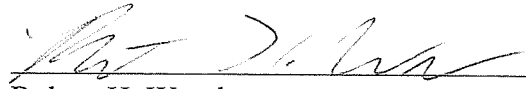
Robert H. Wood

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mail, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 27th day of May, 2011.

RIGBY ANDRUS & RIGBY, Chartered


Robert H. Wood

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

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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: 27-11269, 27-11271, and 2711-
	)	11273
	)	
Case 39576	)	AFFIDAVIT OF LYNN KEETCH
	)	IN SUPPORT OF MOTION TO ALTER
	)	OR AMEND
	)	
	)	

1. My name is Lynn Keech.
2. I am a member of Bear Lake Grazing Co.
3. I have worked the lands irrigated by water rights 27-11269, 27-11271, and 2711-11273
4. I have reviewed the Special Master's Recommendations for Partial Decree.
5. Bear Lake Grazing Co. is filing a Motion to Alter or Amend the Special Master's Recommendation for Partial Decree of the above captioned water rights because the Recommendation does not accurately describe the quantity of water used or the acres irrigated by the above captioned water rights.

6. Water Right 27-11269 was claimed for 26.4 cfs, but was only recommended for 10.55 cfs. The place of use was claimed as 1,957 acres, but was recommended for only 528.8 acres. I am personally aware that Bear Lake Grazing Co. has historically diverted much more than 10.55 cfs from Diamond Creek, and that more than 528.8 acres have been irrigated from Diamond Creek.

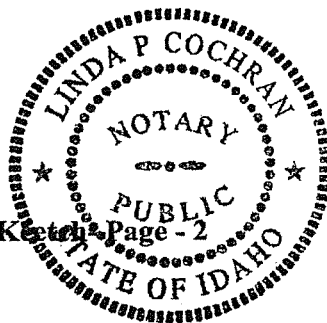
7. Water Right 27-11271 was claimed for 44.8 cfs, and recommended for only 10.54 cfs. The place of use was claimed as 894 ^{acres} ~~cfs~~, and recommended as only 527 acres. Water is diverted from Lanes Creek by placing "stop logs" into the creek which divert the water onto the irrigated ground. These stop logs push nearly all of the water out of the creek, and that amount is more than 10.54 cfs. Much of this water seeps through the ground and returns to the creek.

8. Water Right 27-11273 was claimed for 24 cfs for irrigation, and was recommended for only .46 cfs. The place of use was claimed as 763 and only recommended for 23 acres. I am personally aware that the amount of water historically diverted from Timothy Creek has greatly exceeded .46 cfs, and that the place of use has greatly exceeded 23 acres.

DATED this 27th day of May, 2011.

Lynn Keetch
Lynn Keetch

SUBSCRIBED AND SWORN TO before me this 27th day of May, 2011.



Linda P Cochran
Notary Public for Idaho
Residing at: Montpelier
Commission Expires: 6-01-2016