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Department of Water Resources

2000 MAY 18 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 37-12142

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 37-12142 was mailed
on May 18, 2000, with sufficient first-class postage prepaid
to the following:

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

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

ANNA BILLINGER
BRADLEY BILLINGER
PO BOX 1126
HAILEY, ID 83333

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/18/00

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

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-12142

NAME & ADDRESS: ~~JAMES N HENDRICK~~
~~ELIZABETH A HENDRICK~~
~~8075 DENVER ST~~
~~VENTURA CA 93004~~

BRADLEY BILLGER
ANNA BILLGER
PO BOX 1126
HAILEY, ID 83333

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1972

POINT OF
DIVERSION: T01S R18E S31 LOT 11 (SWNWSE) Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 CABIN	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC
T01S R18E S31 LOT 11 (NWSE) Within BLAINE County
LOT 11 (NESW)

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
PARCEL NO. RP01S180310810A
PROPERTY ALSO KNOWN AS LOT 11B, MAGIC CITY. LOT
11B RESIDES IN BOTH THE NWSE AND THE NESW.
PROPERTY ALSO KNOWN AS 111 EAST MAGIC ROAD.

BB Jan 15, 2000

CERTIFICATE OF MAILING

I certify that on _____, 2000, 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:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

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

Bradley & Anna Billger
P.O. Box 1126
Hailey, ID 83333

 Jan 15, 2000
Signature of person mailing the form



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
Boise Field Office
Federal Building & U.S. Courthouse
MSC 020-550 West Fort Street
Boise, Idaho 83724-0020
January 8, 2000

Brad and Anna Billger
P.O. Box 1126
Hailey, Idaho 83333

RE: SRBA Subcase Number 37-12142

Dear Mr. and Ms. Billger:

Thank you for speaking with me on the phone last September. As promised, enclosed is a Standard Form 5 that I said would be mailed to you. The form is a stipulation between you and the United States that your water right should be described in accordance with the second page. We determined that your Lot 11B has a legal description that includes two quarter section legal descriptions instead of one. We assumed you wanted a place of use in the NESW, just in case you irrigate some portion of that area along with the rest of the domestic use in Lot 11B, NWSE. We added the correct legal description with "bold" and "underline."

Please verify that your water right is properly described as shown on page two of the Standard Form 5. Sign the form in the space provided, place your initials on page two, and mail the form back to me in the enclosed postage paid addressed envelope, along with a copy of your deed. The deed is necessary for IDWR concurrence. I will obtain IDWR concurrence, file the Standard Form 5 in the Snake River Basin Adjudication Court, and mail you a copy.

Also enclosed is a Notice of Change of Ownership form. Please fill in any missing data, sign the form and mail it back to me. I will give it to IDWR to complete the administrative proceeding necessary to change ownership. The deed will serve the dual purpose of verifying change of ownership and verifying the legal description of your water right.

Thank you for your cooperation. Please call me if you have any questions or concerns.

Sincerely,

Larry A. Brown

Attorney U.S. Dept. of Justice
Ph: (208) 331-5941

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. 37-12142
)
)

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" water 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, date, expert opinions and law supporting 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 per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Bradley Billger
Anna Billger

BB
Bradley Billger

1-15-2000
Date

AB
Anna Billger

1-15-2000
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown 1/8/00
Larry A. Brown Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

IDWR CONCURRENCE:

Date

Date

Standard Form 5 (Amended Claim)

Subcase No. 37-12142

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