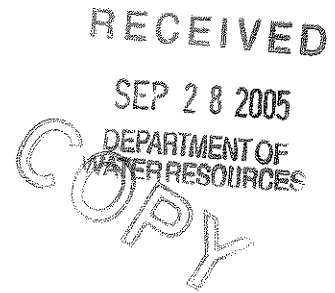


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1000 Riverwalk Dr., Ste. 200
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Idaho State Bar Number 1198



**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

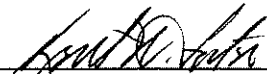
Case No. 35976

A. Subcase 31-335A

**MOTION TO FILE
AMENDED CLAIM**

Claimant in the above entitled subcase hereby moves this court for leave to file an Amended Claim with respect to right number 31-335A. This motion is made upon the grounds and for the reason that claimant has substantial evidence of the diversion and application to beneficial use of water on significant amounts of acreage omitted from the Director's Recommendation, commencing with the priority of the above numbered right, to the present.

DATED this 23 day of ^{September}~~August~~, 2005.



Kent W. Foster
Holden, Kidwell, Hahn & Crapo, PLLC

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of ~~August~~^{September}, 2005, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:
IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Kent W. Foster, Esq.

G:\WPDATA\KWF\12753 Lundholm, Carl & Gladys\Motion to File Amended Claim.335A.wpd:cdv

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RECEIVED
SEP 28 2005
DEPARTMENT OF
WATER RESOURCES
COPY

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 31-335A

Date Received _____

Receipt Number _____

AMENDED NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s) Carl Lundholm Phone (208) 662-5215

Mailing Address 1806 N. 2250 E., Hamer, ID Zip 83425

2. Date of Priority (Only (1) per claim) July 31, 1930

3. Source of water supply (a) Groundwater

which is tributary to (b) _____

4.a. Location of existing point of diversion is:

Township 07N Range 35E Section 26, 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____,
County of JEFFERSON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 2.6 cfs or _____

7. Total quantity claimed (a) 2.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None
10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	35E	34	40	40	36	35										6			157
		35	40	40	15	5	40	40	38	31		4							253

Total number of acres irrigated 410

11. In which county(ies) are lands listed above as place of use located? Jefferson
12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
31-372, 31-4009 AND 31-7261 or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree X License
If applicable provide IDWR Water Right Number 31-335
Court Case Number Decree Date 10/14/1949
Plaintiff vs Defendant The Owsley Canal Co. v. Ernest Bauerle

16. Signature(s)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Carl Lundholm Date 9-23-2005

 Date

For Organizations: I do solemnly swear or affirm that I am of (Title)

 , that I have signed the foregoing document in the space below as (Organization)

 of and that the statements contained in the (Title) (Organization)

foregoing document are true and correct.

Last Name Lundholm Ident. Number 31-335A

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho)
) SS.
County of Bonner)

Subscribed and sworn (or affirmed) before me this 23 day of September, 2005.

Notary Public [Signature]
Residing at Idaho Falls
My Commission Expires 11/20/2010



17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]
Address 1700 Box 50150 Idaho Falls, ID 83405
Date 9/23/05