

RECEIVED
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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: 74-01595
)
) (Insert Water Right Number)
)
Case No. 39576) STANDARD FORM 4
)
) MOTION TO FILE:
) LATE NOTICE OF CLAIM
_____) ☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 8-04-06, 2006, 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:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

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

United States, Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or Special Master, you must serve a copy on all parties to that subcase.

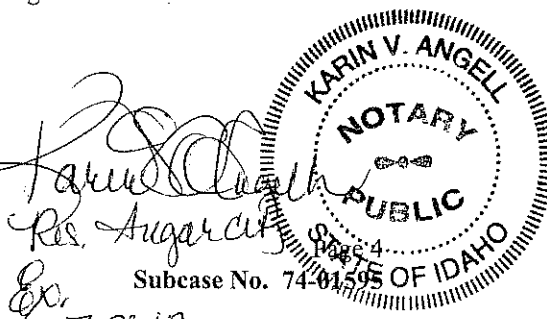

Signature of person or attorney mailing the form

State of Idaho
County of Madison

personally appeared A. Paul Robison

S.F. 4

Amended 10/16/97



Subcase No. 74-01595

Amended Notice of Claim

RIGHT NUMBER: 74-1595

NAME AND ADDRESS: ADRIAN RAND ROBISON
6978 S 2000 W
PO BOX 95
REXBURG ID 83440

DOROTHY H ROBISON
6978 S 2000 W
PO BOX 95
REXBURG ID 83440

SOURCE: SPRINGS TRIBUTARY: LEMHI LITTLE SPRING CREEK

QUANTITY: 1.230 CFS

PRIORITY DATE: 11/10/1897

POINT OF
DIVERSION: T16N R25E S4 NWNW Lot 4 Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03/15 11/15	1.230 CFS

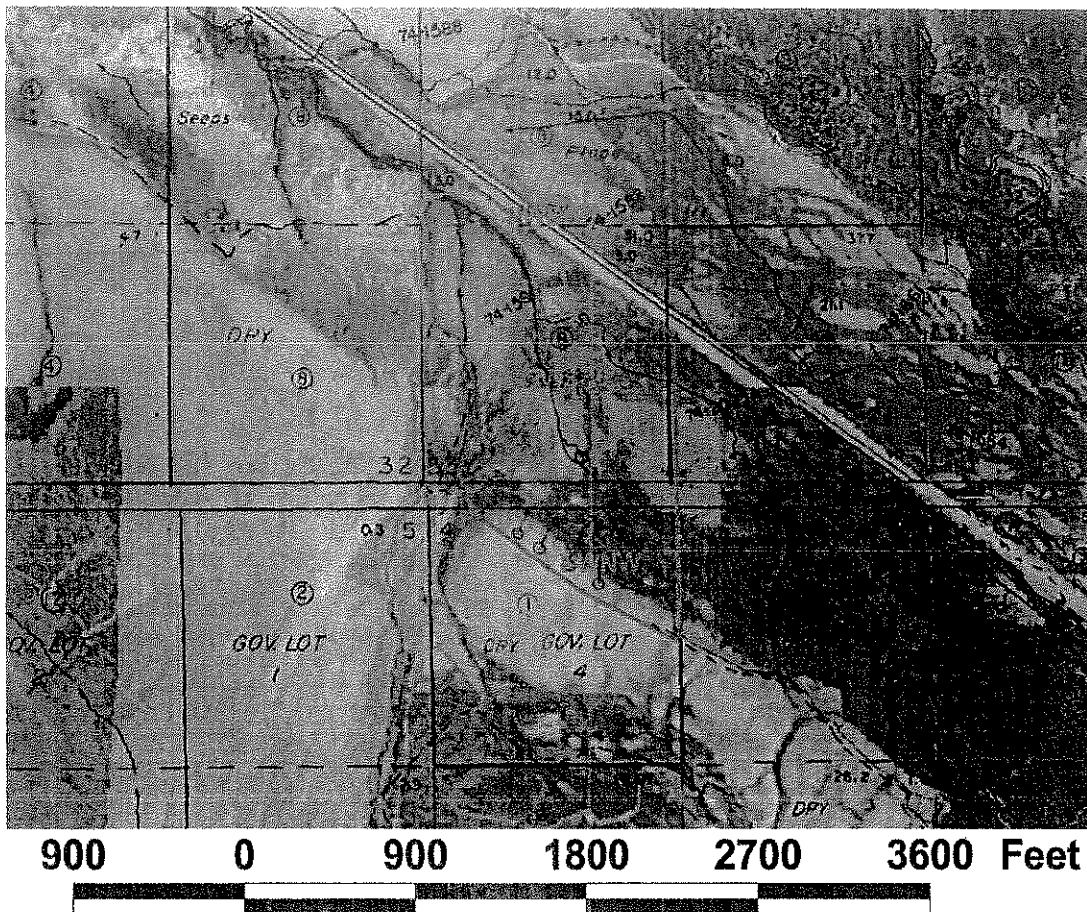
PLACE OF USE:	IRRIGATION		Within LEMHI County
	~~T17N~~ R25E S04	Lot 4 (NWNW)	10.00
	<u>T16N</u>		
	T17N R25E S33	NWSW	3.00
	T17N R25E S33	SWSW	28.00
	41 ACRES TOTAL		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
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.

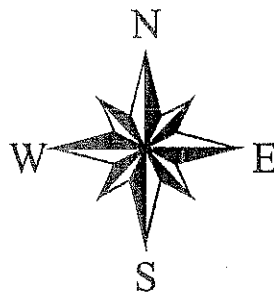
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

A74-1595



T16N, R25E, S4
T17N, R25E, S33



Prepared by Anita Warntjes
March 10, 2004
1993/94 True Color Aerial Photo

I have attached:

☒ An amended Notice of Claim (available from IDWR).

Payment of the following addition fees required by IDWR:
N/A

VERIFICATION (Must be completed)

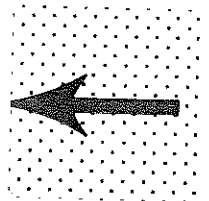
State of Idaho

County of Madison

A. Rand Robison, being first duly sworn, upon oath, deposes and says:
(insert name of person filing form)

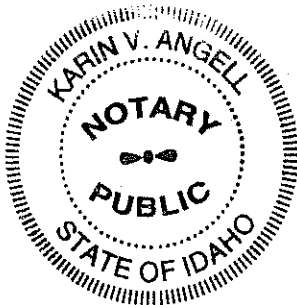
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

A. Rand Robison
Signature of person filing motion



Attorney signing in representative capacity

Subscribed and sworn to before me on 8.3.06
(Insert Date)



Karin V. Angell
Notary Public for The Bank of Commerce & Idaho
Residing at: Sugar City
My Commission expires: 7.31.12

X I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is: Adrian Rand Robison

My address is: 503 N 4000 E
Rigby, Idaho 83442

My phone number is: Cell: (208) 351-1070 Home: () _____

I am an attorney representing:

My name is: _____

My address is: _____

My phone number is: Work: () _____ FAX: () _____

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

X I must amend my Notice of Claim to use of water in the SRBA because:

There is a typographical error in township for one place of use:
claimed & recommended:
T17N R25E S04 Lot 4 (NWNW) 10.00 ac
should be consistent with the shapefile in IDWR's records:
T16N R25E S04 Lot 4 (NWNW) 10.00 ac
I have provided corrected address information.

I am providing legal and factual documentation to support my amended Notice of Claim.
You must describe these documents and attach a readable copy.

IDWR's shapefile
