

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

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 24-4018

Date Received _____

Receipt Number _____

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JUN 12 2006

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

1. ^{Department of Water Resources}
^{Eastern Region} Name of Claimant(s) Kevin Toner and Yodon Thonden Phone (917) 749-5796 212 842 8903
136 MADISON AVENUE
Mailing Address Aristeia Capital 381 5th Ave., New York, New York, Zip 10016
2. Date of Priority (Only (1) per claim) May 1, 1919
3. Source of water supply (a) Crow Creek
which is tributary to (b) Salt River

- 4.a. Location of existing point of diversion is:
Township 9S Range 46E Section 29, 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
County of CARIBOU

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. Headgate and ditches

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)
For Irrigation purposes from 4/1 to 11/1 amount 0.9 cfs or _____

7. Total quantity claimed (a) 0.9 (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.) _____

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Department of Water Resources
Eastern Region

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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	
9S	46E	28						30											30

Total number of acres irrigated 30

11. In which county(ies) are lands listed above as place of use located? Caribou
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.
24-4021 and 24-4022 or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use Posted Notice Permit Decree License
If applicable provide IDWR Water Right Number
Court Case Number Decree Date
Plaintiff vs Defendant

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)

Date

5/30/2006

3/20/2006

Date

5/30/06

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.

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Last Name Toner and Thornden Ident. Number 24-4018

Department of Water Resources
Eastern Region

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of ~~Idaho~~ NY)
County of Hqs.) SS.

ROSALYN SINGH
NOTARY PUBLIC, STATE OF NEW YORK
NO. 0154009880
QUALIFIED IN KINGS COUNTY
COMMISSION EXPIRES 03-03-2010
2006

Subscribed and sworn (or affirmed) before me this 30th day of May, 2002.

only for Kevin C. Toner Notary Public Rosalyn Singh
Yoder Thorden Residing at Hqs NY
My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____