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MAY 15 2007

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	ORDER GRANTING MOTION TO
	)	FILE AMENDED CLAIM AND
Case No. 39576	)	SETTING SUBCASE DEADLINES
	)	
	)	SUBCASE NOS.: 21-11192 AND 21-12906

I. PROCEDURAL BACKGROUND

A *Motion to File Amended Notice of Claim* was filed by The Nature Conservancy on April 12, 2007 in 21-11192 and 21-12906. The *Motions* seek to amend the notice of claim for these water rights by adding historically irrigated acres to the place of use. A hearing was held on the *Motions* on April 26, 2007.

II. STANDARD OF REVIEW

The SRBA Court administrative rules establish that motions to amend claims "shall be freely given when justice so requires." *SRBA Administrative Order 1 (A01)* § 4d (2) (k)

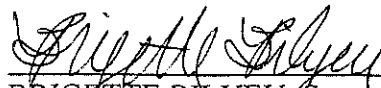
III. FINDINGS

The Nature Conservancy explained that its predecessor inadvertently omitted historically irrigated acres from the original claims. There was no opposition to the *Motions*. Therefore, the *Motions to File Amended Notice of Claims* is **granted**.

IT IS ORDERED that the following deadlines shall govern further proceedings:

May 11, 2007	5:00 pm	Deadline to file Amended Director's Report
June 29, 2007	5:00 pm	Deadline to file Objection
July 13, 2007	5:00 pm	Deadline to file Response
July 18, 2007	2:30 pm	Status Conference
		Location: Snake River Basin Adjudication
		253 3 rd Ave. North
		Twin Falls, Idaho 83301

DATED: May 1, 2007.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE AMENDED CLAIM AND SETTING SUBCASE DEADLINES was mailed on May 01, 2007, with sufficient first-class postage to the following:

THE NATURE CONSERVANCY

Represented by:
C TIMOTHY HOPKINS
428 PARK AVENUE
PO BOX 51219
IDAHO FALLS, ID 83405-1219
Phone: 208-523-4445

THE NATURE CONSERVANCY

Represented by:
STEPHEN C CANN
THE NATURE CONSERVANCY
2424 SPRUCE ST STE 100
BOULDER, CO 80302
Phone: 303-541-0343

UNITED STATES OF AMERICA

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

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

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MAY 15 2007

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 21-12906

Date Received

Receipt Number

5.15.07

C084109

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWDISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2007 APR 12 AM 10 42

Please type or print clearly

1. Name of Claimant (s) The Nature Conservancy Phone (208) 788-8988
Mailing Address 116 1st Ave., North, Hailey, ID Zip 833332. Date of Priority (Only one (1) per claim) 04/01/19393. Source of water supply (a) Henrys Fork
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 15N Range 43E Section 36
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Fremont
Additional points of diversion if any: T15N R43E S36 SENESW within Fremont County

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.

A diversion dam and two headgates are located in the NESW quarter - quarter of section 36 along the Henry's Fork Outlet. One headgate diversion (36" conduit) feeds a ditch running the length of property on the East side of the outlet providing water for irrigation in section 1 and sections 6, 7 and 18. The other headgate (56" W 36" H Arch CMP Conduit) feeds a ditch which runs through most of the West side of the outlet and also provides water to neighboring property. This ditch supports irrigation in section 1 and section 7. The diversion dam was reconstructed in the summer of 2002 along with both headgates. The westside ditch has numerous side ditches and associated lateral ditches along its length. Most of the diversion from the westside ditch is done without the aid of headgates though a few exist at various culverts. The westside ditch crosses the SW corner of NENE quarter - quarter of Section 12 with a lateral originating in the SESE quarter of section 1.

6. Water is claimed for the following purposes:

For Irrigation purposes from 05/01 to 10/31 amount 2.14 (cfs) or (acre feet)
 For Stockwater purposes from 01/01 to 12/31 amount 0.230 (cfs) or (acre feet)
 For purposes from to amount (cfs) or (acre feet)
 For purposes from to amount (cfs) or (acre feet)

7. Total quantity claimed (a) (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.)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

(See attached)

TWP	RNG	SEC	NE 1/4				NW 1/4				SE 1/4				SW 1/4				Totals
			NE 1/4	NE 1/4	SE 1/4	SE 1/4	NE 1/4	NE 1/4	SE 1/4	SE 1/4	NE 1/4	NE 1/4	SE 1/4	SE 1/4	NE 1/4	NE 1/4	SE 1/4	SE 1/4	

Total number of acres irrigated

11. In which county (ies) are lands listed above as place of use located? Fremont

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.
21-178,21-179,21-11192 or None ()

14. Remarks:

This right is limited to the irrigation of 155 acres within the place of use described above
In a single irrigation season.

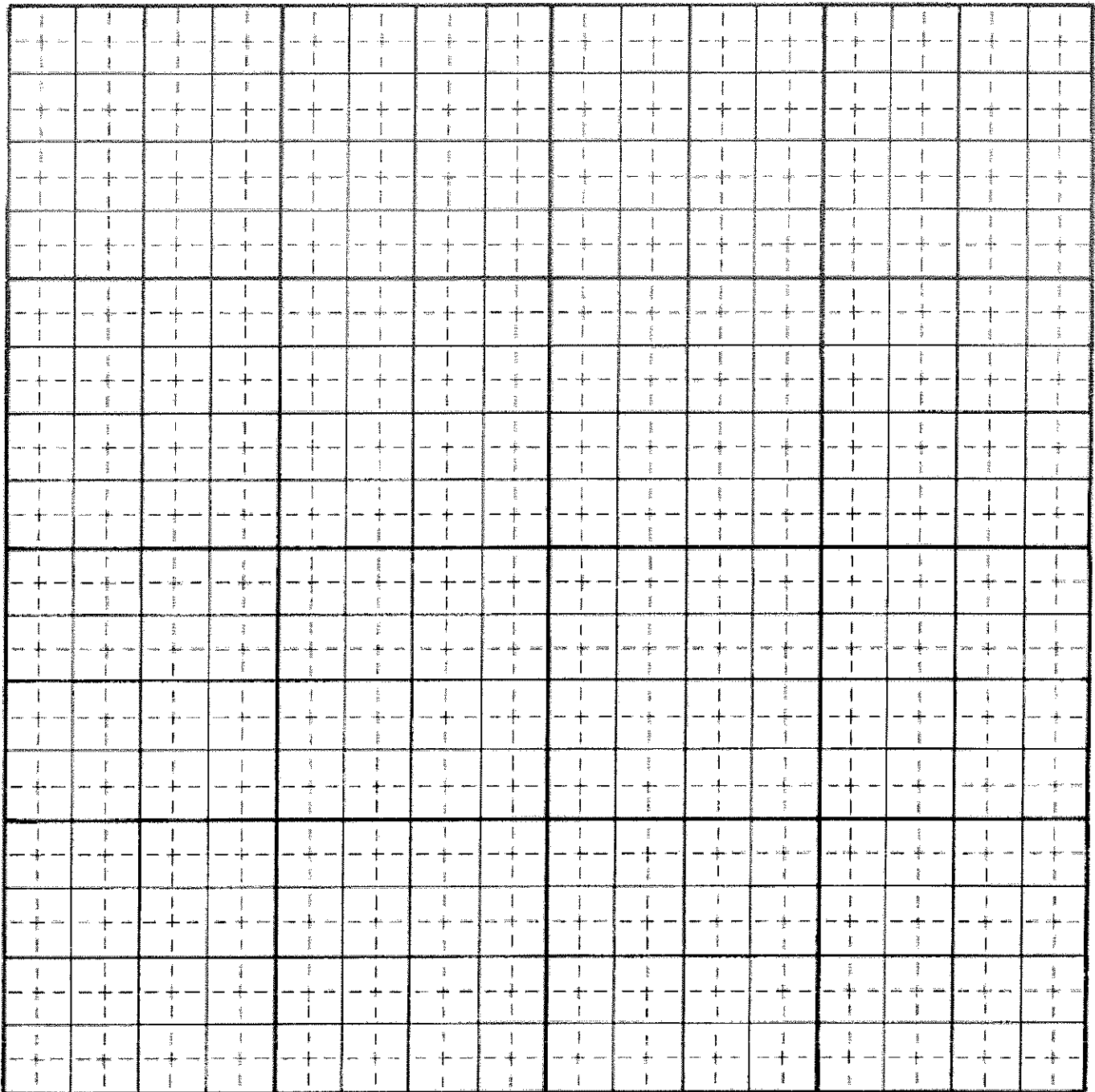
The rights listed (21-178,21-179,21-12906, 21-11192) are limited to the irrigation of
a combined total of 1066.4 acres in a single irrigation season.

Last Name Ident No.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Map Attached



Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 21-12906
Court District Ct, 7th District Case Number 39576 Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____
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 _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Idaho State Director
Title

of The Nature Conservancy that I have signed the foregoing
Organization

document in the space below as Idaho State Director of The Nature Conservancy
Title Organization

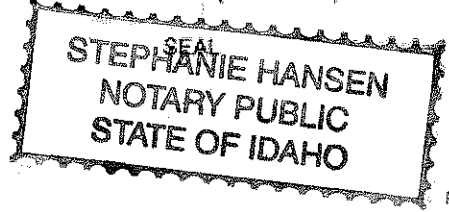
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Idaho State Director, The Nature Conservancy Date 4-11-07

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 11th day of April 2007



Notary Public [Signature]

Residing at 661 W. Myrtle Harley ID

My Commission Expires 11/11

Please Print Name

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 _____

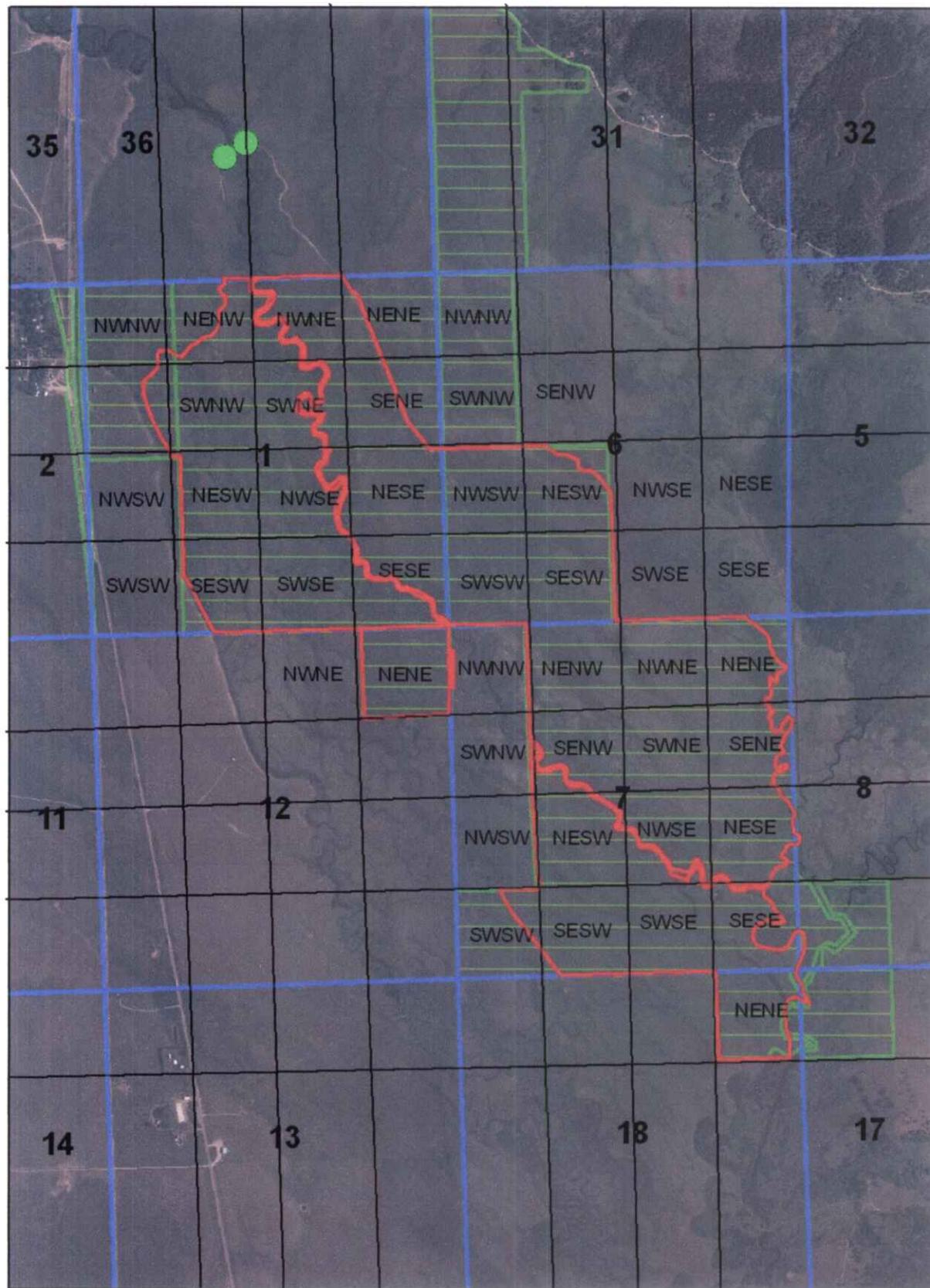
Date _____

Last Name _____ Ident. Number _____

T14N	R43E	S12		NENE	40.0
T14N	R43E	S01	Lot 1	NENE	6.1
		S01	Lot 2	NWNE	38.0
		S01		SWNE	37.0
		S01		SENE	21
		S01	Lot 3	NENW	24.0
		S01	Lot 4	NWNW	1.7
		S01		SWNW	11.0
		S01		SENE	40.0
		S01		NESW	40.0
		S01		SESW	36.0
		S01		NESE	40.0
		S01		NWSE	38.0
		S01		SWSE	40.0
		S02		SESE	38.0
T14N	R44E	S06		NESW	34.0
		S06	Lot 6	NWSW	34.0
		S06	Lot 7	SWSW	34.0
		S06		SESW	40.0
		S07		NENE	29.0
		S07		NWNE	40.0
		S07		SWNE	40.0
		S07		SENE	32.0
		S07		NENW	40.0
		S07		SENE	3.9
		S07	Lot 4	SENE	26.0
		S07	Lot 7	SENE	8.3
		S07		NESW	1.2
		S07	Lot 6	NESW	1.1
		S07	Lot 7	NESW	36.0
		S07	Lot 9	SWSW	7.0
		S07		SESW	37.0
		S07		NESE	0.5
				NESE	0.1
		S07	Lot 5	NESE	33.0
		S07		NWSE	2.8
		S07	Lot 6	NWSE	0.1
		S07	Lot 6	NWSE	26.0
		S07	Lot 6	NWSE	8.4
		S07	Lot 10	SWSE(?)	40.0
		S07		SESE	8.6
		S07	Lot 5	SESE	0.4
		S07	Lot 11	SESE	18.0
		S18		NENE	0.2
		S18		NENE	0.4
		S19		NENE	0.5
		S18	Lot 1	NENE	0.1
		S18	Lot 3	NENE	33.0
					1066.4

Water Rights 21-11192 and 21-12906 Place of Use

21-11192 and 21-12906 Place of Use Flat Ranch Property ● Point of Diversion



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 21-11192

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2007 APR 12 AM 10

Please type or print clearly

1. Name of Claimant (s) The Nature Conservancy Phone (208) 788-8988
Mailing Address 116 1st Ave., North, Hailey, ID Zip 83333

2. Date of Priority (Only one (1) per claim) 04/01/1939

3. Source of water supply (a) Henrys Fork
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 15N Range 43E Section 36
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Fremont
Additional points of diversion if any: T15N R43E S36 SENESW within Fremont County

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.

A diversion dam and two headgates are located in the NESW quarter - quarter of section 36 along the
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headgate (56" W 36" H Arch CMP Conduit) feeds a ditch which runs through most of the West side of the outlet
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The diversion dam was reconstructed in the summer of 2002 along with both headgates. The westside ditch has
numerous side ditches and associated lateral ditches along its length. Most of the diversion from the westside
ditch is done without the aid of headgates though a few exist at various culverts. The westside ditch crosses
the SW corner of NENE quarter - quarter of Section 12 with a lateral originating in the SESE quarter of section 1.

[illegible]

For Irrigation purposes from 05/01 to 10/31 amount 10.0 or

Stockwater	01/01	12/31	0.230





For purposes from to amount of

Year	Number of cases	Percentage of cases	Number of deaths	Percentage of deaths
1990	100	100	100	100
1991	100	100	100	100
1992	100	100	100	100
1993	100	100	100	100
1994	100	100	100	100
1995	100	100	100	100
1996	100	100	100	100
1997	100	100	100	100
1998	100	100	100	100
1999	100	100	100	100
2000	100	100	100	100
2001	100	100	100	100
2002	100	100	100	100
2003	100	100	100	100
2004	100	100	100	100
2005	100	100	100	100
2006	100	100	100	100
2007	100	100	100	100
2008	100	100	100	100
2009	100	100	100	100
2010	100	100	100	100
2011	100	100	100	100
2012	100	100	100	100
2013	100	100	100	100
2014	100	100	100	100
2015	100	100	100	100
2016	100	100	100	100
2017	100	100	100	100
2018	100	100	100	100
2019	100	100	100	100
2020	100	100	100	100

7. Total quantity claimed	(a)	(b)	(c) and/or (d)	(e) and (f)

Total consumption use obtained is: 2000 kg per annum

12. Non-irrigation uses: Describe fully (eg. Comments: All number of livestock, water, all water, type and number of livestock etc.)

7. Description of place of use

4. **Training and Development:** The company should invest in training and development programs to enhance the skills and knowledge of its employees, thereby improving their productivity and performance.

1. What is the purpose of the document?

See comments on page 10 below. See instructions for standard symbols.

See Attachment

[illegible]

Number of items reported

11. In which country (ies) are lands listed above as place of use located? Fremont

12. Do you own the property listed above as place of work? Yes ☒ No ☐
If your answer is No, describe in Remarks below the address you have to claim this value right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

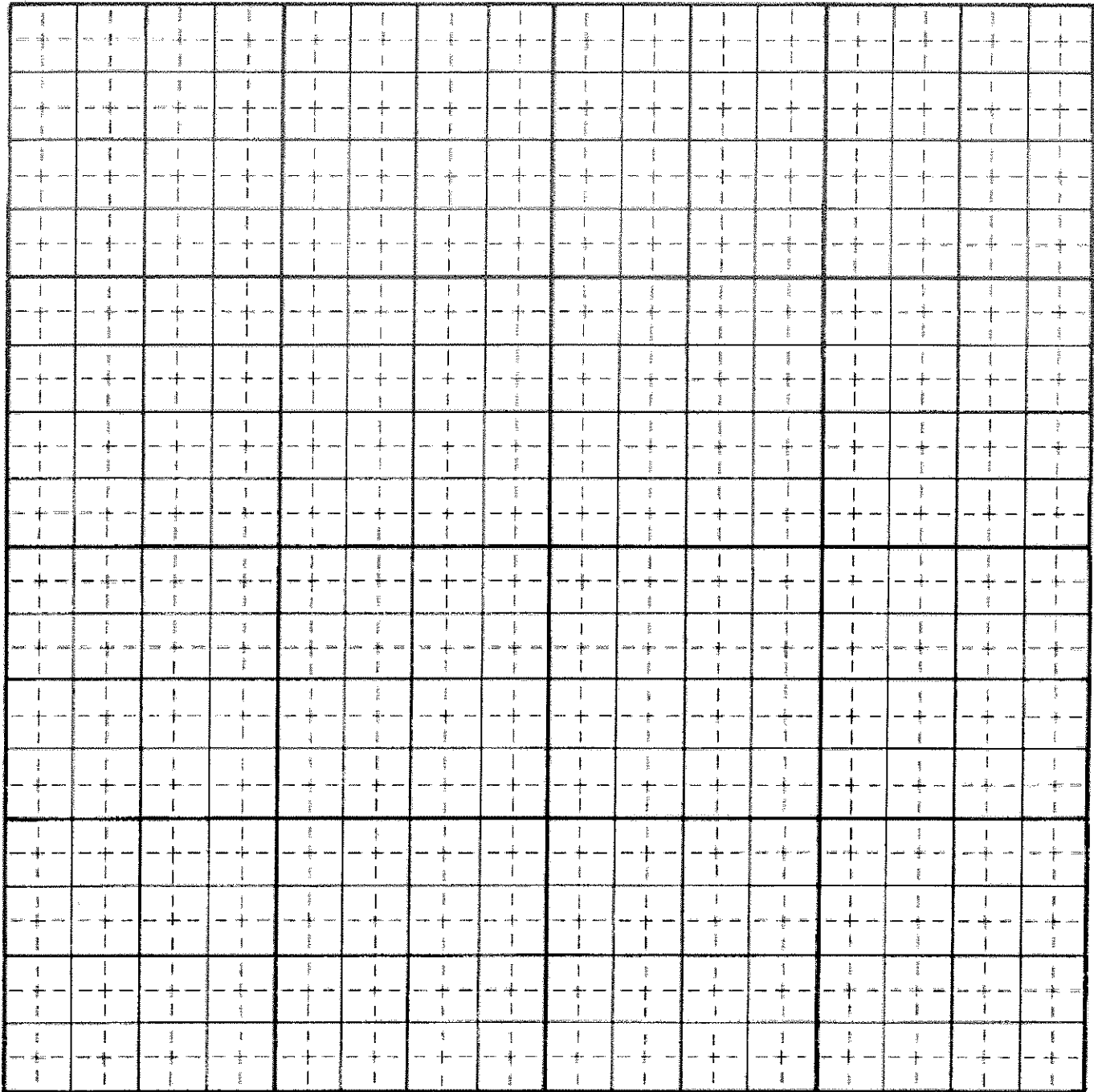
The rights listed (21-178,21-179,21-12906, 21-11192) are limited to the irrigation of a combined total of 1066.4 acres in a single irrigation season.

[illegible]

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile

Map Attached



Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree ☒ 21-11192
If applicable provide IDWR Water Right Number _____
Court District Ct, 7th District Case Number 39576 Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

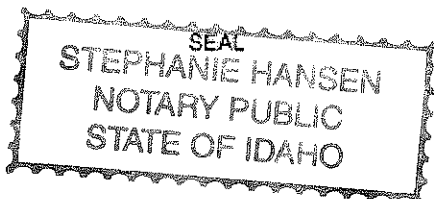
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Idaho State Director
Title _____
of The Nature Conservancy that I have signed the foregoing
Organization _____
document in the space below as Idaho State Director of The Nature Conservancy
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Laura A. Hubbell
Title and Organization Idaho State Director, The Nature Conservancy Date 4/11/07

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 11 day of April 2007



Notary Public Stephanie Hansen
Residing at 661 W. Myrtle Ct. Thaler, ID
My Commission Expires 11/11

Please Print Name

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 _____

Last Name _____ Ident. Number _____

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		S01		SENW	40.0
		S01		NESW	40.0
		S01		SESW	36.0
		S01		NESE	40.0
		S01		NWSE	38.0
		S01		SWSE	40.0
		S02		SESE	38.0
T14N	R44E	S06		NESW	34.0
		S06	Lot 6	NWSW	34.0
		S06	Lot 7	SWSW	34.0
		S06		SESW	40.0
		S07		NENE	29.0
		S07		NWNE	40.0
		S07		SWNE	40.0
		S07		SENE	32.0
		S07		NENW	40.0
		S07		SENW	3.9
		S07	Lot 4	SENW	26.0
		S07	Lot 7	SENW	8.3
		S07		NESW	1.2
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		S07	Lot 7	NESW	36.0
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				NESE	0.1
		S07	Lot 5	NESE	33.0
		S07		NWSE	2.8
		S07	Lot 6	NWSE	0.1
		S07	Lot 6	NWSE	26.0
		S07	Lot 6	NWSE	8.4
		S07	Lot 10	SWSE(?)	40.0
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21-11192 and 21-12906 Place of Use Flat Ranch Property ● Point of Diversion

