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DEPARTMENT OF
WATER RESOURCES

2007 JUL 19 AM 11:12

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) Subcase 74-15015
Case No. 39576) (Riggan)
)
) ORDER GRANTING MOTION
) TO AMEND CLAIM AND SETTING
) DEADLINES

On May 15, 2007, claimant James E. Riggan filed a *Motion to File Amended Notice of Claim* in subcase 74-15015 to add two points of diversion and 45 acres of irrigation to the original claim. Mr. Riggan filed a second *Motion* on June 13, 2007, to correct an error in a legal description.

Hearings on the *Motions* were held on May 31 and July 19, 2007. Mr. Riggan appeared at both hearings *pro se* and Nicholas B. Spencer appeared at the latter hearing for IDWR. IDWR agreed with the accuracy of corrections made in the second *Motion*.

Mr. Riggan has shown good cause to amend his claim to accurately reflect the historical and beneficial use of water from the claimed source.

THEREFORE, IT IS ORDERED that:

1. Mr. Riggans' June 13, 2007 *Motion to File Amended Amended Notice of Claim* in subcase 74-15015 is **granted**;
2. IDWR shall file a Director's report and recommendation concerning the amended claim no later than **Friday, September 21, 2007**; and
3. Objections to the Director's report and recommendation shall be filed with the SRBA Court no later than **Monday, October 29, 2007**.

DATED July 19, 2007.



TERRENCE A. DOLAN

Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING DEADLINES was mailed on July 19, 2007, with sufficient first-class postage to the following:

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

JAMES E RIGGAN
267 HWY 28
SALMON, ID 83467
Phone: 208-756-3710

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Form No. 42-1409 (2) a 1/88 (Internet)

DEPARTMENT OF
WATER RESOURCES

JUL 23 2007

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

CIVIL CASE NUMBER: 39576

Ident. Number 74-15015

Date Received 7-23-07

Receipt Number 6084604

Amended
**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

DISTRICT COURT - 5TH JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED
2007 MAY 15 AM 10:08

Please type or print clearly

1. Name of Claimant (s) James E Riggan Phone () 208-756-3710

Mailing Address 267 Hy 28, Selmon Id. Zip 83447

2. Date of Priority (Only one (1) per claim) 5-1-1897

3. Source of water supply (a) West Fork Wimp Creek
which is tributary to (b) Lemhi River

4. a. Location of existing point of diversion is: Township 21 N Range 23 E Section 25,
SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, — B.M., County of Lemhi

Additional points of diversion if any: 21 N. 23 E - Sec 24, NE, SW.

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.

Head gate gravity feed sprinkler

page 2

6. Water is claimed for the following purposes: (both dates are inclusive) (cfs) (acre feet)
- For irrigation purposes from 3/15 to 11/15 amount 2.16 cfs or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
21N	23E	24												10.					10.0
		25					18.0		22.0										40.0
		26													22				22.0

Total number of acres irrigated 72.0

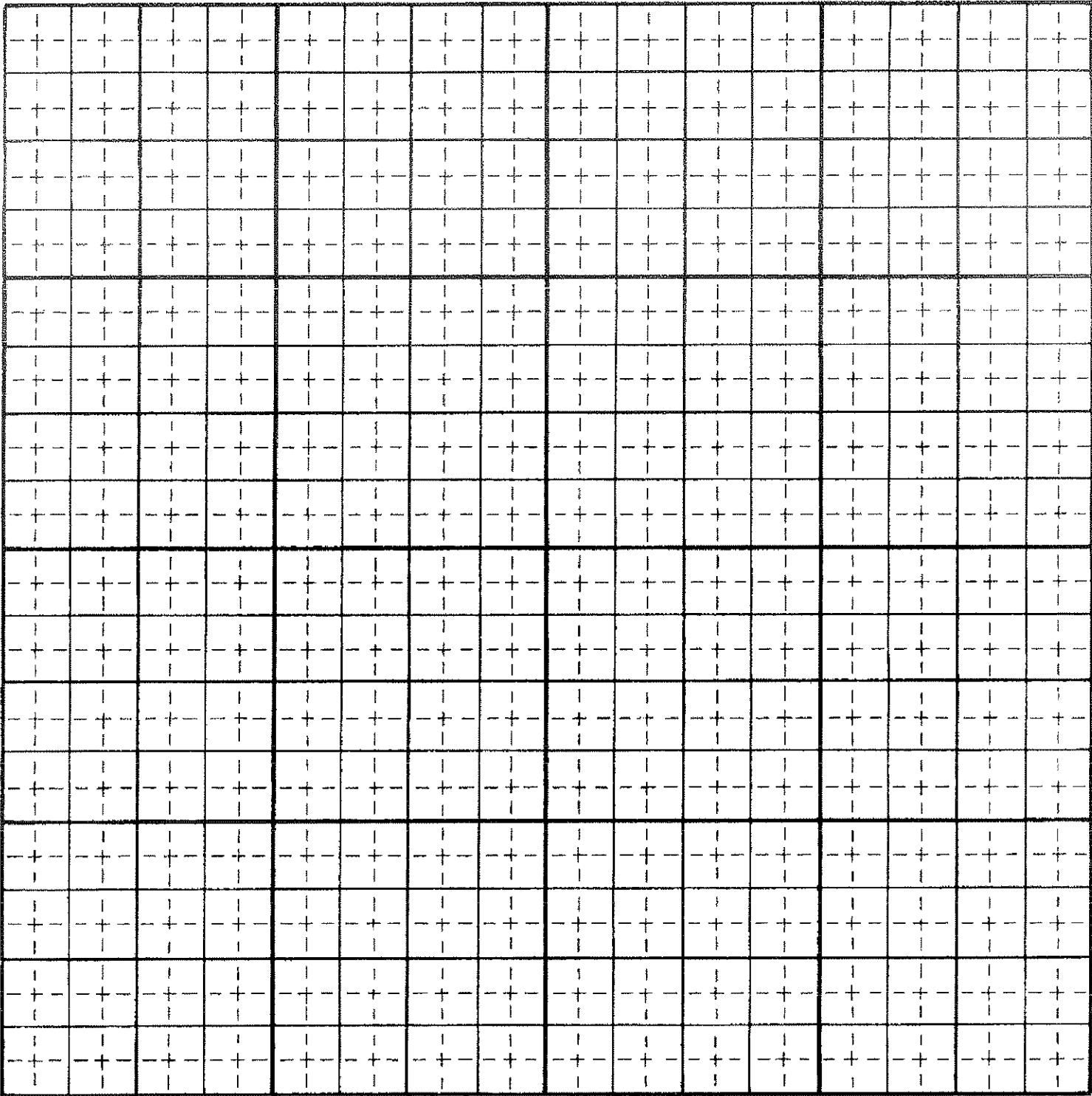
11. In which county (ies) are lands listed above as place of use located? Lamhi
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same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

Last Name _____ Ident No. _____

orig 3

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

Scale: 2 inches equals 1 mile *See attached*



Last Name _____ Ident No. _____

PHOTO
1939

ATTACHMENT # 1



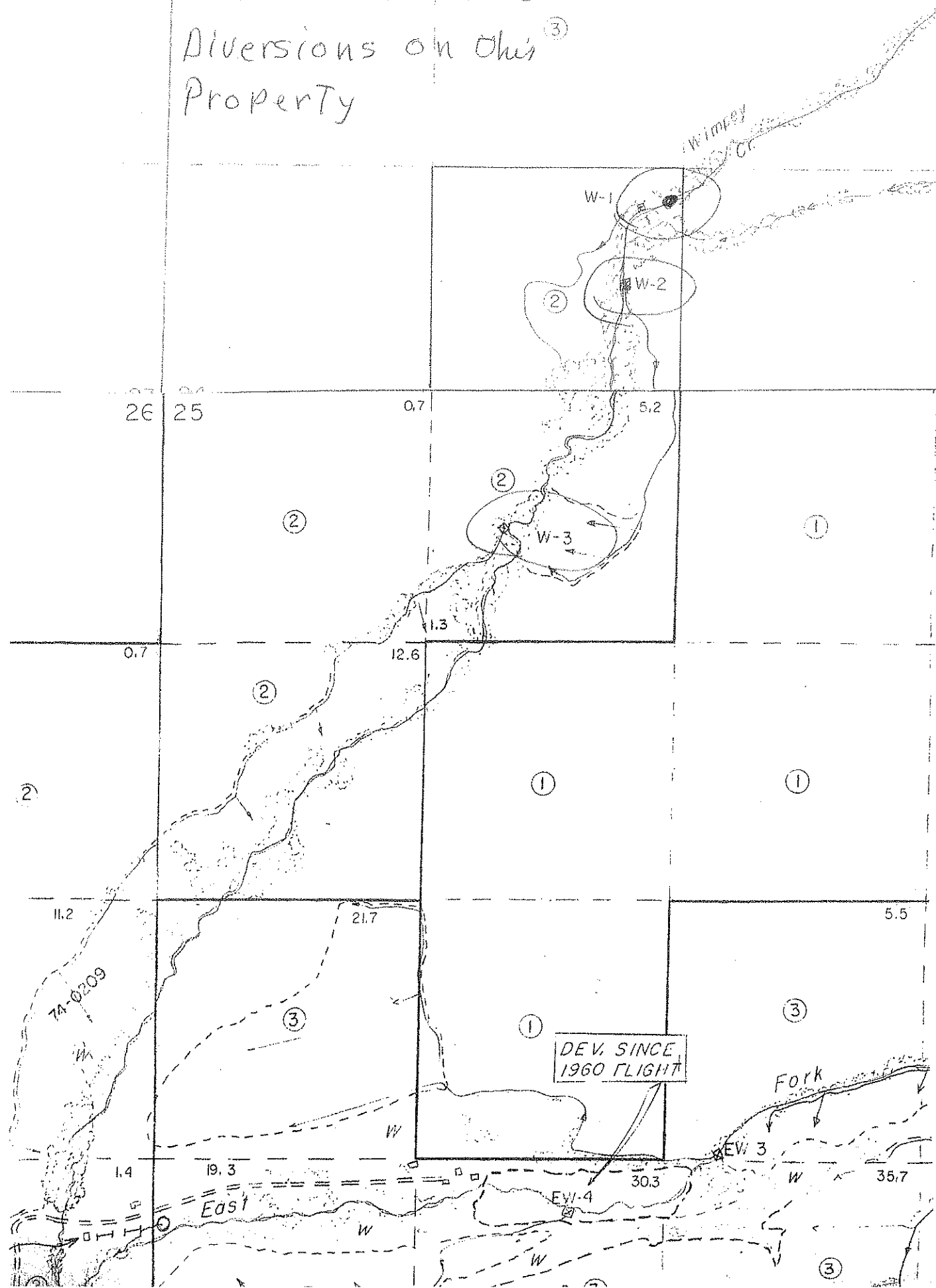
11-1000
#

2005

ATTACHMENT # 2



1970 Map of 3 #1
Diversions on this⁽³⁾
Property



orig 4

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 74-15015
Court _____ Case Number _____ 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) James E. Riggan Date 5-14-07
Date _____

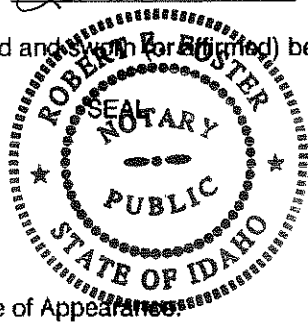
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn to (for attested) before me this 14th day of May 2007



Notary Public Robert E. Foster

Residing at Salmon Id.

My Commission Expires 3-6-2013

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 _____