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DEPARTMENT OF
WATER RESOURCES

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Attorneys for Ada County

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. 39576

Subcase No: 63-03618

AMENDED MOTION TO PARTICIPATE

Ada County and the Board of Ada County Commissioners, by and through their counsel of record, Perkins Coie LLP, move this Court for a permanent order granting Ada County's Motion to Participate in Subcase No. 63-03618.

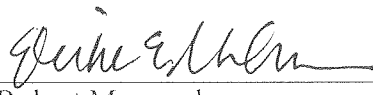
On September 5, 2007, the Court entered an order conditionally joining Ada County and recommended the filing of a *Motion to File Late Notice of Claim* based on the assumption, not specifically countered by Ada County at that time, that Ada County is not a party to the adjudication as defined by *SRBA Administrative Order 1* (Oct. 1997) and Idaho Code 42-1401A(1) and (6).

Upon further investigation, it has come to our attention that Ada County is in fact a party to the SRBA, as defined by *SRBA Administrative Order 1* (Oct. 1997) and Idaho Code 42-1401A(1) and (6), evidenced by a partial decree for Water Right Number 63-00279A, a copy of the Notice of Claim for which is filed herewith as Exhibit A.

As such, Ada County respectfully asks this Court to grant Ada County's Amended Motion to Participate.

DATED: October 1, 2007

PERKINS COIE LLP

By: 
Robert Maynard
Erika E. Malmen

Attorneys for Ada County

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury under the laws of the State of Idaho that, on October 1, 2007, he/she/they caused to be served on the person(s) listed below in the manner shown:

AMENDED MOTION TO PARTICIPATE

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 736-2121 ☐
Overnight Mail ☒

State of Idaho
c/o Natural Resources Div. Chief
Attorney General's Office
P.O. Box 44449
Boise, Idaho 83711-4449
United States of America
US Department of Justice
Envir. & Nat. Resources
550 West Fort Street, MSC 033
Boise, Idaho 83724

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 334-2690 ☐
Overnight Mail ☐

Director
Idaho Dept. of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Hand Delivery ☐
U.S. Mail ☒
Facsimile: _____ ☐
Overnight Mail ☐

Hand Delivery ☐
U.S. Mail ☒
Facsimile: _____ ☐
Overnight Mail ☐

Scott L. Campbell
P.O. Box 829
Boise, Idaho 83701-0829

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Albert P. Barker
Shelley M. Davis
P.O. Box 2139
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Jerry A. Kiser
620 West Hayes
Boise, Idaho 83702

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Facsimile: (208) 336-1027 ☐
Overnight Mail ☐

Daniel V. Steenson
S. Bryce Farris
P.O. Box 2773
Boise, Idaho 83701-2773

Hand Delivery ☐
U.S. Mail ☒
Facsimile: (208) 342-4657 ☐
Overnight Mail ☐

Dated at Boise, Idaho, this 1st day of October, 2007.



Erika E. Malmen

EXHIBIT A

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: A63-00279A

Date Received: ~~2/22/1990~~

Receipt No: W021506 09/17/1996

Received By: TT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ADA COUNTY PARKS & WATERWAYS

Address: 650 MAIN ST

BOISE ID

83702

2. Date of Priority: APR 1, 1870

3. Source: BOISE RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	29	NW	SW			ADA

5. Description of diverting works:

HEADGATE IN RIVER, DELIVERED VIA RIDENBAUGH CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.084		

7. Total Quantity Appropriated is:

0.084 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	30	NE	SE		IRR	4.2

Section Acres 4.2

Total Acres 4.2

MICROFILMED

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
63-11195

14. Remarks:

THIS CLAIM REPRESENTS AN UNCLAIMED PORTION OF 63-00279. THIS
PORTION WAS VERIFIED BY THE REVIEW PROCESS FOR TRANSFER NO. 4286.
PLEASE SEE FILE FOR DETAILED EXPLANATION. 04/10/1996 MM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.
Decree Plaintiff

RIVERSIDE IRR. DIST.
vs Decree 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 Organizations:

I do solemnly swear or affirm that I am Commissioner Chairman of
Title

Ada County, that I have signed the foregoing
Organization
document in the space below as Commissioner Chairman of
Title

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

Sharon L. Bisterfeldt
Signature of Authorized Agent

Commissioner of Ada County
Title and Organization

8/30/96
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of August 19 96

Linda M. Fischer
Notary Public

Seal

Residing at Boise, Id.

My Commission Expires 10/18/2000