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DEPARTMENT OF
WATER RESOURCES

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

MICHAEL P. LAWRENCE

DIRECT DIAL: 208 388-1294
EMAIL: MichaelLawrence@givenspursley.com

Gary G. Allen
Peter G. Barton
Christopher J. Beeson
Clint R. Bolinder
Erik J. Bolinder
William C. Cole
Michael C. Creamer
Amber N. Dina
Kristin Bjorkman Dunn
Thomas E. Dvorak
Jeffrey C. Fereday
Martin C. Hendrickson
Steven J. Hippler
Debora K. Kristensen
Anne C. Kunkel

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Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
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W. Hugh O'Riordan, LL.M.

G. Andrew Page
Angela M. Reed
Scott A. Tschirgi, LL.M.
J. Will Varin
Conley E. Ward
Robert B. White
Terri R. Yost

RETIRED
Kenneth L. Pursley
Raymond D. Givens
James A. McClure

Via E-mail and U.S. Mail

November 2, 2007

Steve Clelland
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Amended Notice of Claim for Water Right No. 37-8119
Our file: 9577-1

Dear Steve:

As we discussed over the phone this week, I am sending you the enclosed amended Notice of Claim to a Water Right for water right number 37-8119 ("Amended Claim"). This Amended Claim is filed in accordance with SRBA Administrative Order 1, Section 10(f)(1), which allows for the amendment of claims at or before the Initial Hearing without first requesting leave of court.

This Amended Claim reflects a municipal nature of use for water right number 37-8119, rather than a domestic nature of use as originally claimed. The Department should recommend to the SRBA Court that this water right is a municipal water right because it is owned by a "municipal provider" and used for "municipal purposes" within its "service area," as those terms are defined in Idaho Code Section 42-202B.

The Department has already issued a recommendation to the SRBA Court for this water right based on the original claim. We will file an objection to that recommendation—also on the ground that the water right's nature of use should be "municipal"—by the November 14, 2007 objection deadline.

Steve Clelland
November 2, 2007
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We understand that the concurrent processes of amending this claim and objecting to the existing recommendation will be less confusing if the Department submits the Amended Claim to the SRBA Court by the November 14, 2007 deadline along with its recommendation on the Amended Claim. To that end, we appreciate your prompt attention to this matter.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Michael P. Lawrence

Enclosure

cc: Nick Spencer

S:\CLIENTS\9577\MLtr to S Clelland re_ amended claim.DOC

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

NOV 05 2007
DEPARTMENT OF
WATER RESOURCES

**IN RE THE GENERAL ADJUDICATION
OF RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number 37-8119

Date Received

Receipt Number

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

Please type or print clearly

1. Name of Claimant(s) MID-VALLEY WATER COMPANY, LLC Phone (208) 725-0055
Mailing Address c/o the Kirk Group, P.O. Box 4380, Ketchum, ID Zip 83340
2. Date of Priority (only one (1) per claim) 6/15/1983
3. Source of water supply (a) Ground Water
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 4N Range 18E Section 31,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Blaine
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 enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

12-inch well with a 30-hp pump discharging into a pressure system

6. Water is claimed for the following purposes

(both dates are inclusive) (cfs) (acre feet)

For	<u>Municipal</u>	purposes from	<u>1/1</u>	to	<u>12/31</u>	amount	<u>0.97</u>	or	<u>174</u>
For		purposes from		to		amount		or	
For		purposes from		to		amount		or	
For		purposes from		to		amount		or	

7. Total quantity claimed (a) 0.97 (cfs) and/or (b) 174 (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.) Municipal water supply to approximately 145 households

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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
04N	18E	31			M	M									M	M			

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes _____ No X

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 describe above.
_____ or None ()

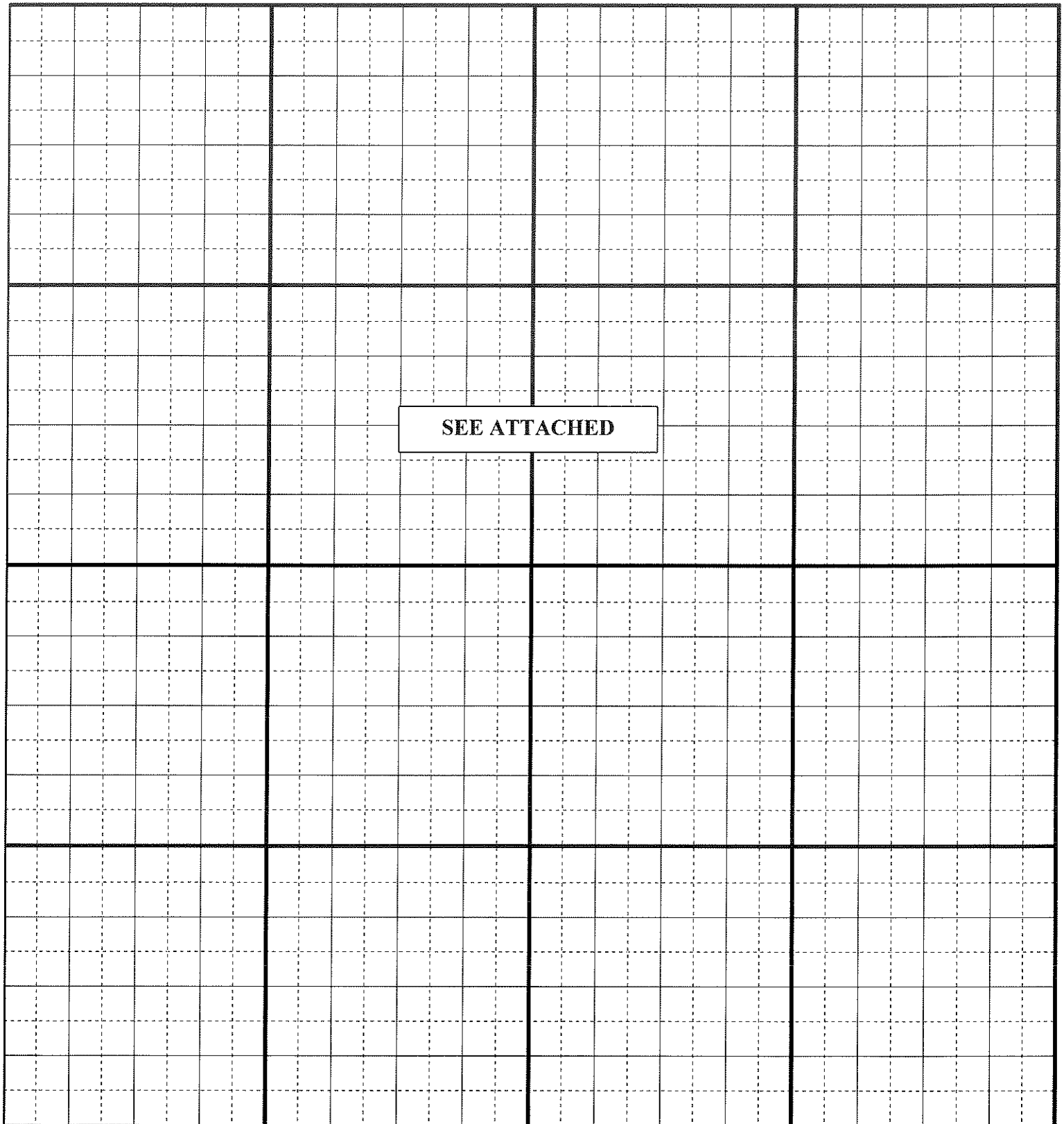
14. Remarks:

This water right is used for municipal purposes, as defined in Idaho Code Section 42-202B(6). The owner is a municipal provider, as defined in Idaho Code Section 42-202B(5)(c). The place of use described above is the service area for this municipal water right.

Last Name MID-VALLEY WATER COMPANY, LLC Ident. No. 37-8119

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

Scale: 2 inches equals 1 mile



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

If applicable provide IDWR Water Right Number 37-8119

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 1

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 Attorney

_____ Title _____

of MID-VALLEY WATER COMPANY, LLC, that I have signed the foregoing

Organization

document in the space below as Attorney of MID-VALLEY WATER COMPANY, LLC

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization Attorney, MID-VALLEY WATER COMPANY, LLC Date 11/2/07

State of Idaho/or _____)

) SS.

County of Ada)

Subscribed and sworn (or affirmed) before me this

2nd day of November 2007

Notary Public

Residing at

My Commission Expires

17. Notice of Appearance

Please Print Name

Notice is hereby given that I, Michael P. Lawrence 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 601 W. Bannock, P.O. Box 2720, Boise, ID 83702

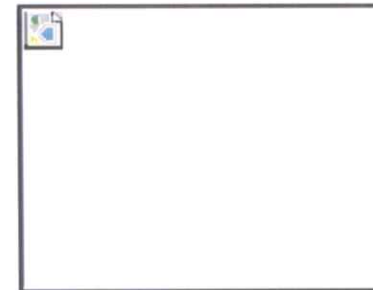
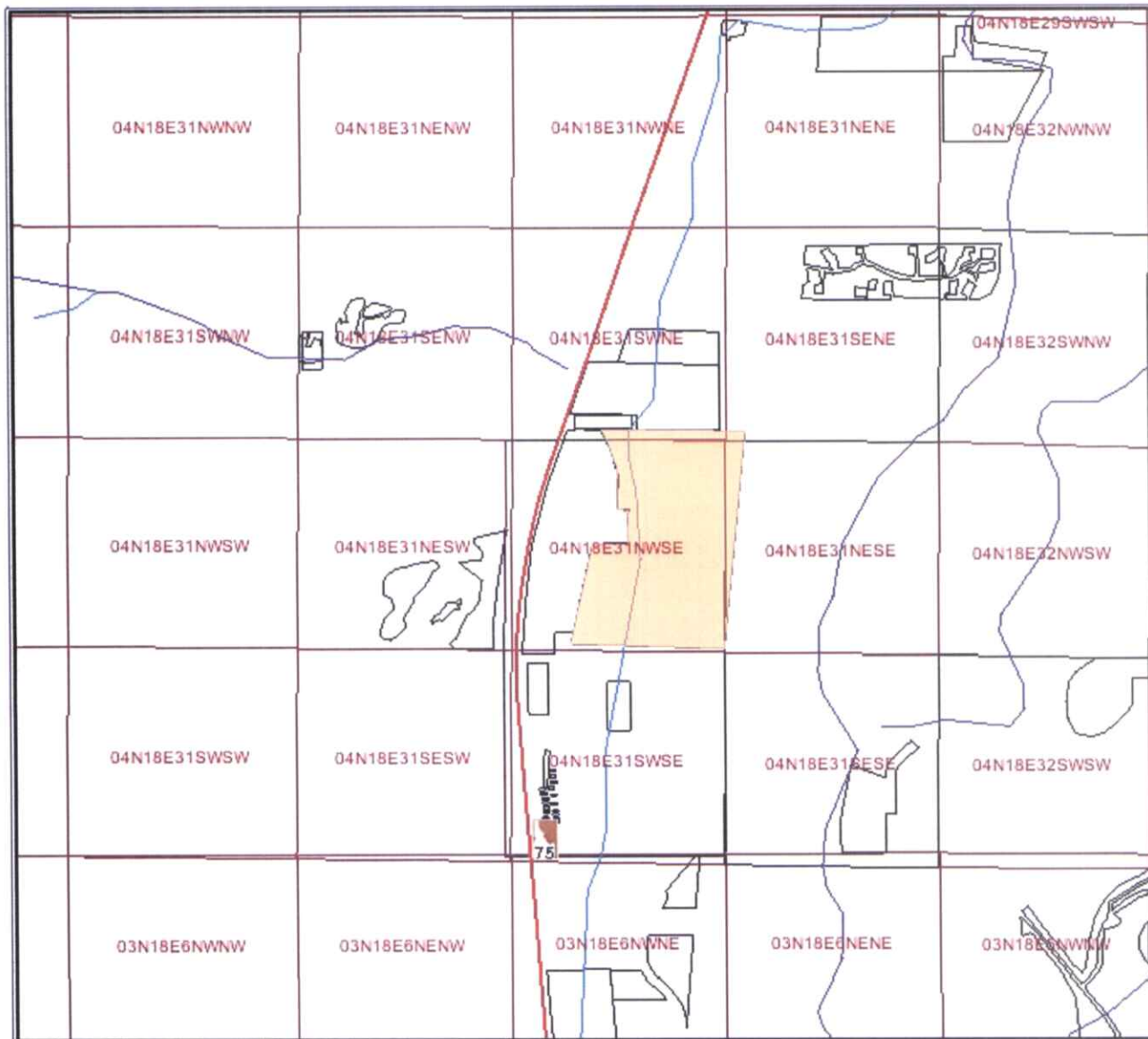
Date 11/2/07

Last Name MID-VALLEY WATER COMPANY, LLC

Ident. Number 37-8119

37-8119 POU

Created: October 31, 2007



- Legend**
- Selected Features
 - Major Roads
 - Interstate
 - U.S. Highway
 - State Highway
 - Other
 - Lakes
 - Major Rivers
 - Rivers
 - Creeks
 - Small streams
 - Streams
 - POU - Adjudication Recommendations
 - PLS - quarter quarter
 - Cities
 - Counties
 - State



Prepared by the ArcIMS Map Server at:



Idaho Department of Water Resources
322 East Front Street, P.O. Box 83729
Boise, Idaho 83720-0098
Ph: (208) 287-4800
www.idwr.idaho.gov

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