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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	)	Subcase 63-31050
	)	
	)	
Case 38576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE AMENDED NOTICE OF
_____	)	CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

I am an attorney representing T-7, LLC.

My address is: RINGERT CLARK, CHARTERED, P.O. Box 2773, Boise, Idaho 83701

My phone number is: 208/342-4591

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

T-7, LLC must amend its Notice of Claim to the use of this water in the SRBA because:

T-7, LLC, has filed many different claims to water rights in Basin 63 in the vicinity of this claim, and with the assistance of its counsel, recently discovered that the priority date for this water right was incorrectly claimed in that the claim did not account for an "accomplished transfer" of the water right in approximately 1948 made pursuant to I.C. §42-1425.

I am providing legal and factual documentation for this claimed use of water. You must describe these documents and attach a readable copy.

- An affidavit of J.L. Terteling detailing his remembrances regarding the priority date of the claim to water right no. 63-31050.

I have attached:

An amended Notice of Claim (available from IDWR).

Payment of the following additional fees required by IDWR:
NA

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____ at _____m. at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION (Must be completed)

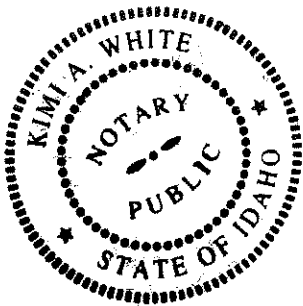
State of Idaho)
)
County of Ada)

Charles L. Honsinger, being first duly sworn, upon oath, deposes and says:

That I am an attorney for the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I. C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Charles L. Honsinger
Attorney signing in representative capacity

Subscribed and sworn to before me on 11/12/07
(Insert Date)



Kim A. White
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 04/01/10

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on this 12th day of November, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

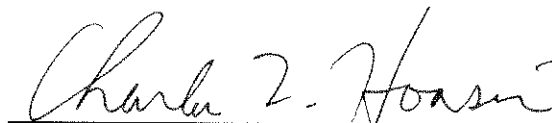
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

Dana Hofstetter
Hofstetter Law Office, LLC
608 W. Franklin Street
Boise, ID 83702
Fax: (208)424-8744



Signature of person or attorney mailing form

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
Indent. Number 63-31050
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) T-7, LLC Phone: (208) 338-5200
Mailing Address 4998 Peaceful Cove Lane, Boise, ID Zip 83714
 2. Date of Priority only (1) per claim) 06/01/1944
 3. Source of water supply (a) Ground Water
which is tributary to (b) N/A
 4. a. Location of existing point of diversion is: Township 04N Range 02E Section 22,
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ NW $\frac{1}{4}$, Govt. Lot, _____ B.M., County of Ada
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$,
Govt. Lot _____ B.M., County _____
ending point is: Township _____ Range _____ Section _____, _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____
 5. Description of existing diversion works. 150' Well, Artesian Cold Water Aquifer
 6. Water is claimed for the following purposes:

	(both dates are inclusive)	(cfs)	(acre feet)
For <u>Irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> amount <u>.02 cfs</u> or _____			
For <u>Stockwater</u> purposes from <u>1/01</u> to <u>12/31</u> amount <u>.092 cfs</u> or _____			
For <u>Wildlife</u> purposes from <u>1/01</u> to <u>12/31</u> amount <u>.092 cfs</u> or _____			
- Last Name T-7, LLC Ident. Number 63-31050

For Aesthetic purposes from 1/01 to 12/31 amount .092 cfs or _____

For Fish Propagation purposes from 1/01 to 12/31 amount .092 cfs or _____

7. Total quantity claimed (a) .092 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre fee per annum.

9. Non-Irrigation uses

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 instructions for standard symbols.

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	2E	22							1, A, FP, S, W										1

Total number of acres irrigated 1

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

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

13. Other water rights used:

14. Remarks: _____

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

If applicable provide IDWR Water Right Number 63-31050

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 X wish to

Last Name T-7, LLC Ident. Number 63-31050

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 documents are true and correct.

Signature or Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Managing Member _____

of T-7, LLC _____, that I have signed the foregoing
Organization _____ Title _____

document in the space below as Managing Member of T-7, LLC
Title _____ organization _____

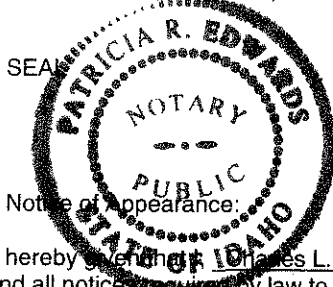
and that the statements contained in the foregoing document are true and correct.

Signed of Authorized Agent AJ Terteling

Title and Organization Manager T-7 LLC Date 10-31-07

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

Subscribed and sworn (or affirmed) before me this 31 day of Oct 2007



Notary Public Patricia R. Edwards

Residing at 2800 Bogus Basin RD Boise, ID

My Commission Expires 12/28/2012 83702

16. Notice of Appearance:

Notice is hereby given that James L. Honsinger will be acting as attorney at law on behalf of the claimant signing above, and 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 Ringert Clark, Chartered, P.O. Box 2773, Boise, ID 83701

Date October 28, 2007

Last Name T-7, LLC Ident. Number 63-31050