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DEPARTMENT OF
WATER RESOURCES

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Via E-mail and U.S. Mail

November 13, 2007

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

Re: Amended Notices of Claims for Water Right Nos. 37-48A, 37-458B, 37-459,
37-2125, and 37-8119
Our file: 9577-1

Dear Steve:

I am sending you the enclosed amended Notices of Claims for the above-referenced water rights ("Amended Claims"). These Amended Claims are 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.

You will note that the enclosed documents include an amended claim for water right number 37-8119, a water right for which I forwarded an amended claim to you on November 2. Please use the amended Notice of Claim for right number 37-8119 that is enclosed with this letter as the basis for your recommendation because it includes updated information; specifically, it notes the other water rights used at the same place and for the same purposes as right number 37-8119 (item number 13) and the municipal nature of use is more clearly described in the remarks section (item number 14).

These Amended Claims reflect a municipal nature of use for the above-referenced water rights, rather than domestic and irrigation uses as originally claimed. The Department should

Steve Clelland
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recommend to the SRBA Court that these water rights are municipal water rights because they are owned by a municipal provider and used for municipal purposes within its service area.

The Department has already issued recommendations to the SRBA Court for these water rights based on the original claims. We are filing objections to those recommendations—also on the ground that the water rights' nature of use should be "municipal."

We understand that the concurrent processes of amending these claims and objecting to the existing recommendations will be less confusing if the Department submits the Amended Claims to the SRBA Court by the November 14, 2007 deadline along with its recommendations on the Amended Claims. We appreciate any efforts you can provide to make that happen.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Michael P. Lawrence", written over a horizontal line.

Michael P. Lawrence

Enclosures

cc: Nick Spencer
Garrick Baxter

S:\CLIENTS\9577\1\Ltr to S Clelland re amended municipal claims.DOC

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 RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number

37-458B

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) 6/1/1883
3. Source of water supply (a) Clear Creek
which is tributary to (b) Sinks
4. a. Location of existing point of diversion is: Township 4N Range 18E Section 31,
SW 1/4 of SW 1/4 of NE 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. _____

See original Notice of Claim.

6. Water is claimed for the following purposes

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

For Municipal purposes from 4/15 to 10/31 amount 0.54 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.54 (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.) Municipal water supply within the service area described below as the place of use.

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		

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.

37-48A, 37-458B, 37-459, 37-2125, 37-8119, 37-21489 or None ()

14. Remarks:

The owner is a municipal provider and this water right is used for municipal purposes within the service area described above as the place of use.

Last Name MID-VALLEY WATER COMPANY, LLC Ident. No. 37-458B

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

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

Decree ☒

If applicable provide IDWR Water Right Number 37-458

Court _____ Case Number _____ Decree Date 12/13/1909

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 [Signature]

Title and Organization Attorney, MID-VALLEY WATER COMPANY, LLC Date 11/13/07

State of Idaho/or _____

County of Ada

Subscribed and sworn (or affirmed) before me this

13th

day of

November

2007

NOTARY PUBLIC

STATE OF IDAHO

Notary Public

Residing at

Boise, Idaho

My Commission Expires

8/23/2013

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

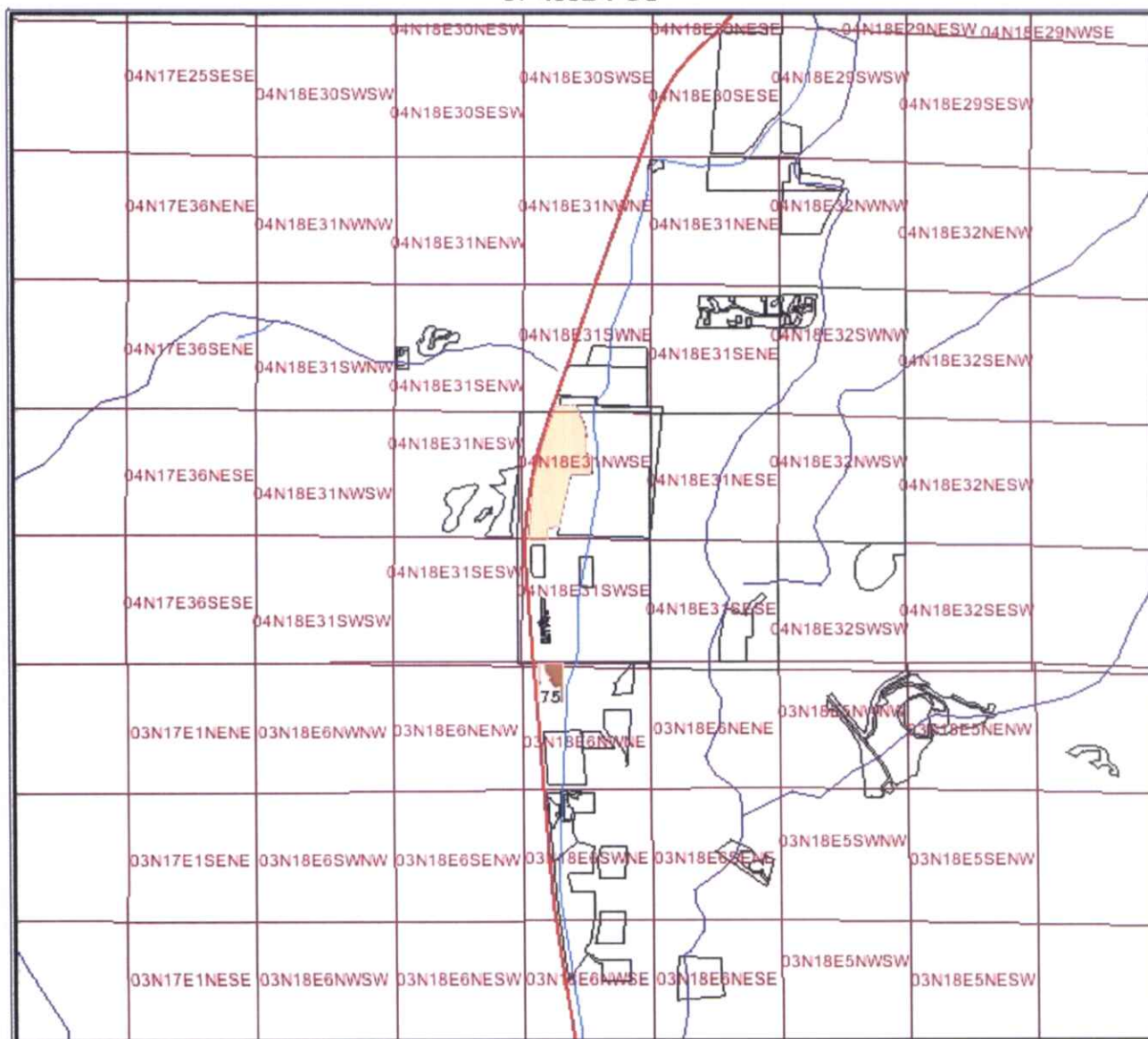
Address 601 W. Bannock, P.O. Box 2720, Boise, ID 83702

Date 11/13/07

Last Name MID-VALLEY WATER COMPANY, LLC Ident. Number 37-458B

37-458B POU

Created: November 9, 2007



- Legend**
- Selected Features
 - Major Roads
 - Interstate
 - U.S. Highway
 - State Highway
 - Other
 - Lakes
 - Major Rivers
 - Rivers
 - Canals
 - Rivers
 - 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 83720
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Ph: (208) 287-1800
www.idwr.idaho.gov

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