

COPY

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 37-4369

) (Insert water right number)

Case 39576

) STANDARD FORM 4

) MOTION TO FILE:

) ☐ LATE NOTICE OF CLAIM

) ☒ 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).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing _____

My name is ED LAWSON

My address is POB 3310 Ketchum Id 83340

My phone number is 208-725-0055

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

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 _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

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.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

priority date is incorrect



I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:



An amended Notice of Claim (available from IDWR).



Payment of the following additional fees required by IDWR:

\$50.00 filing fee

VERIFICATION (Must be completed)

State of Idaho

County of Blaine

Edward A. Hanson being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

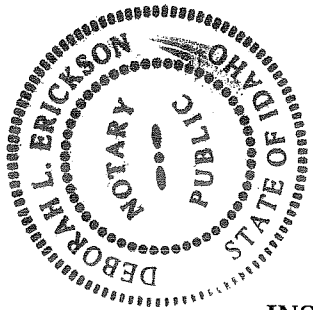
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that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

Signature of person filing motion

EA Hanson

Attorney signing in representative capacity

Subscribed and sworn to before me on November 14, 2007.
(Insert Date)



Deborah Erickson
Notary Public for Idaho
Residing at: Harley Id
My Commission expires: 10-09-10

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 the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Nov 14, 2007, ~~199~~, 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.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

COPY

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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) Sun Valley Land & Mineral INC Phone 760-767-3324

Mailing Address P.O. Box 1959 Sun Valley, ID Zip 83353

2. Date of Priority (Only one (1) per claim) 05/01/1890

3. Source of water supply (a) Deer Creek

which is tributary to (b) dry stream

4. a. Location of existing point of diversion is: Township 03N Range 17E Section 27,
1/4 of SW 1/4 of SE 1/4, Govt. Lot, B.M., County of Custer

Additional points of diversion if any: 03N 17E Section 34, NWNE

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. Original dam constructed on Deer Creek circa 1890
related to Clarendon Hot Springs resort.

See also later work related to recommendation 37-2446 by E.C. Smith in 1930's

6. Water is claimed for the following purposes:

For Recreation Storage purposes from 1/1 to 12/31 amount _____ (both dates are inclusive) (cfs) (acre feet) or 102.0

For Diversion to Storage purposes from 1/1 to 12/31 amount 10.0 or

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 10.0 (cfs) and / or (b) 102 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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 together purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

Total number of acres irrigated_____ R, S

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 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.

37-2446 _____ Or None ☐

14. Remarks:

This claim represents historical beneficial use related to original Clarendon Dam.

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-4369
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 3 pgs

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 _____

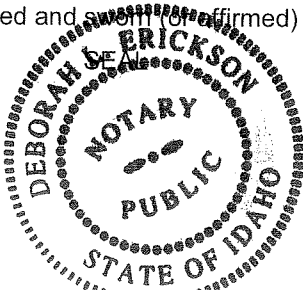
For Organizations: I do solemnly swear or affirm that I am authorized agent
Of San Valley Land & Minerals, that I have signed the foregoing
Document in the space below as authorized agent of San Valley Land & Minerals
Organization Title Organization

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

Signature of Authorized Agent [Signature]
Title and Organization authorized agent Date 11/14/07

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

Subscribed and sworn to (or affirmed) before me this 14th day of November, 20 07
Notary Public Deborah Erickson
Residing at Hailey, Id
My Commission Expires 10-09-10



Please Print Name

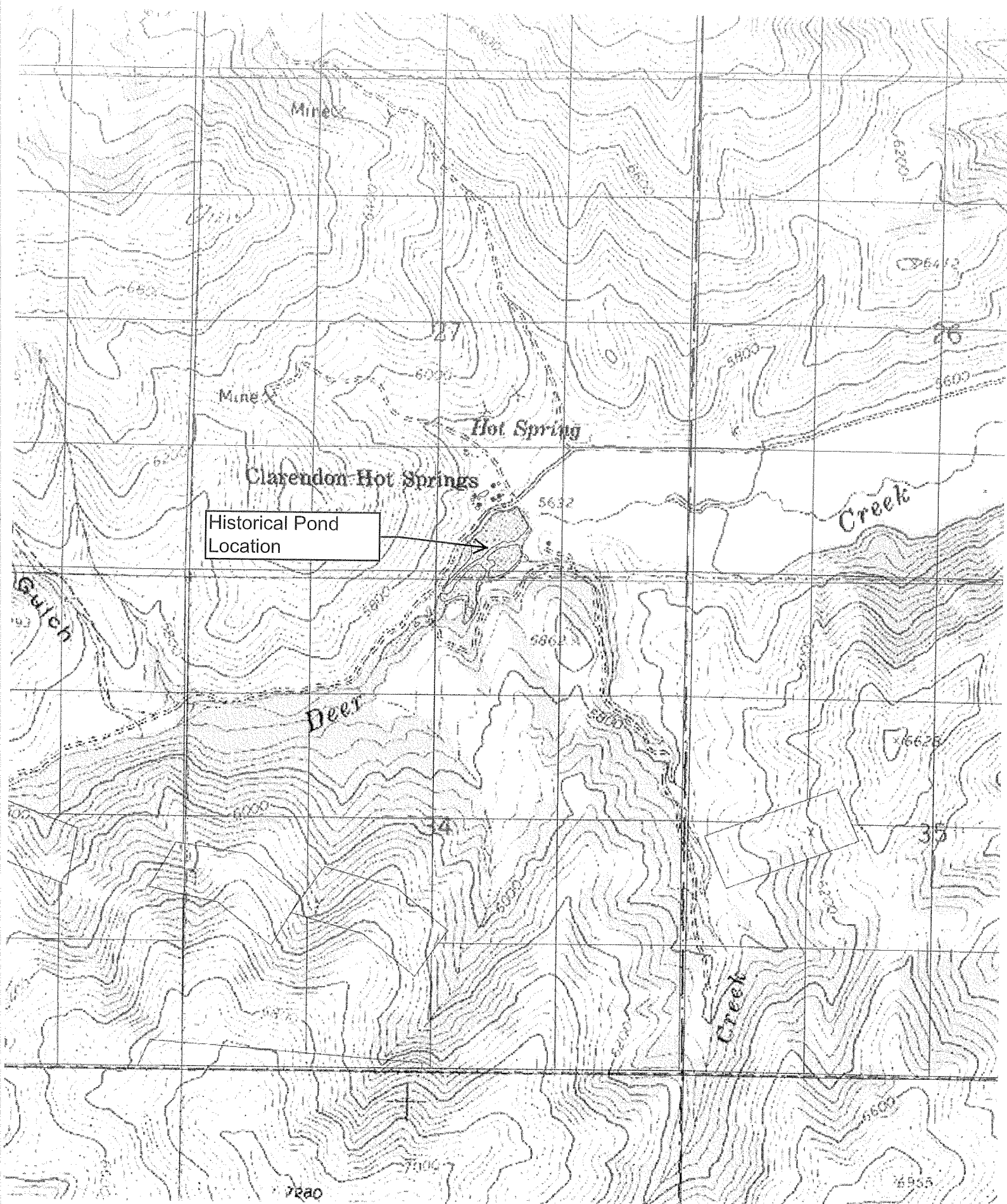
17. Notice of Appearance:

Notice is hereby given that I, Edward A. Lawson 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 [Signature]
Address POB 3310 Ketchum Id 83340
Date 11/14/07

Last Name LAWSON Ident. Number 2440

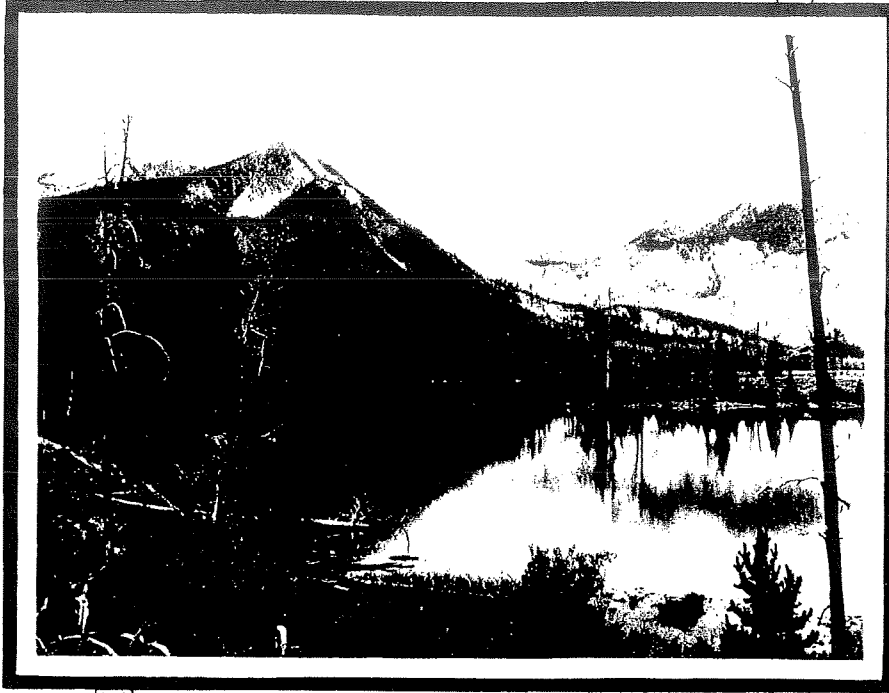
Sun Valley Land Minerals, Inc. Amended Claim 37-4369

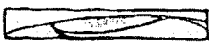


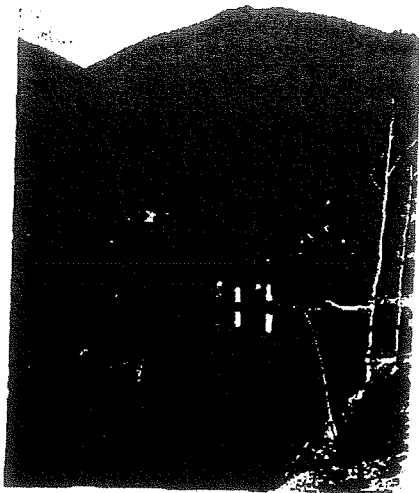
TWP. 3N, RNG. 17E

HAILEY

IDAHO



PUBLISHED
BY 
HAILEY
COMMERCIAL
CLUB 



Valley Newspapers

In the early 1880s, when mining activity reached its peak, competition among the Wood River Valley's newspapers grew fierce. Newspapers helped fuel the Valley's early development—and added to its chaos. Along with the lengthy advertisements that paid for their printing, the papers were filled with odd narratives and strong opinions. Editors were known to bully local businesses into advertising.

The most prolific of the Wood River towns, Hailey had for a time four daily newspapers and one weekly journal. Bellevue and Ketchum each had one daily and one weekly. During the next thirty years, the local papers changed ownership, folded, and merged—until 1919, when Prohibition dealt a crippling blow. The liquor advertisements that had supported the papers could no longer be sold.

C.H. Clay and a man named Harding started the *Wood River Miner*, a weekly paper, on May 6, 1881. A month later, Theodore E. Picotte published the first weekly edition of the *Wood River Times*, which one year later became the first daily paper in Idaho Territory. The *Times* first issued from a tent office, then from a log cabin with

Boaters at Clarendon Hot Springs, circa 1890. Residents used the pools here until well after World War II, when a private developer closed the public access. Courtesy Institute of the American West Collection, Regional History Department, The Community Library.

The hotel at Clarendon Hot Springs, as seen from Deer Creek Road, August 1914. Courtesy Environment West.



The Wood River Times building at the north end of Hailey in the early 1900s. This replaced the log structure Picotte built on the southwest corner of Main and Gray streets in 1882. Photo by Martyn Mallory, courtesy Hailey Public Library.