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FEB 04 2008

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

DEPARTMENT OF
WATER RESOURCES

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 2-2392
Date Received:
Receipt No: C005198
Received By:

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

1. Name of Claimant(s)

JAMES P MERTZ Phone: (208)459-4821
And/or
RICHARD A SYMMS
14068 SUNNY SLOPE RD
CALDWELL ID USA 83605

2. Date of Priority: 05/16/1966

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	04W	23	NE NW NW 1	OWYHEE	

5. Description of diverting works:

PUMP, 350 HP MOTOR, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	7.7	
STOCKWATER	1/01	12/31	0.04	

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

7. Total Quantity Appropriated is:
7.7 C.F.S.

8. Non-irrigation uses: Stockwater: 200 head range cattle.

9. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	04W	15	NW NE	IRRIGATION	36
			SW NE	IRRIGATION	39
			SE NE	IRRIGATION	11
			NE NW	IRRIGATION	39

SW	NW	IRRIGATION	39
SE	NW	IRRIGATION	23
NE	SW	IRRIGATION	33
NW	SW	IRRIGATION	38
SW	SW	IRRIGATION	20
SE	SW	IRRIGATION	20
NE	SE	IRRIGATION	27
NW	SE	IRRIGATION	39
SW	SE	IRRIGATION	28
SE	SE	IRRIGATION	7

Section Acres 399

02N 04W 16 SE SE IRRIGATION 16

Section Acres 16

Total Acres 415

Place of use does not include federal public lands.

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

Right Nos. 2-2392 and 2-7077 are limited to a total combined diversion rate of 7.7 cfs.

15. Basis of Claim: License

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 receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm, under penalty of perjury, that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): R. A. Symms

Date: _____

Date: 31 Jan 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P O Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 24, 2008

R.A. Syllits

JAMES P MERTZ
14068 SUNNY SLOPE RD
CALDWELL ID 83605

RE: Snake River Basin Adjudication (SRBA)
Amended Notice of Claim to a Water Right #2-2392

Dear Mr. Mertz:

IDWR has a plan to present a settlement document (SF5) in the near future that will resolve the objection BLM filed to your water right. Before doing so, an amended claim must be submitted to clear the way for the SF5. The specifics of the amended claim are in the same area as the objection. The initial claim and license for that matter has 19 acres in the SWSW and 21 acres in the SESW of Section 15. The solution for the settlement is to have 20 acres in each quarter-quarter. Increasing the acreage by 1 acre in the SWSW is a small detail, admittedly, but the reason for the amended claim.

Please sign the form, if you find it acceptable, and return it to this office. I presume Steve is less available locally. He would not have to sign the claim form. A notary public verifying your signature is no longer required or necessary.

Thanks for your assistance. You should see the SF5 for signing in the near future.

Sincerely,

Donald V. Shaff, MPA
Bureau Chief
Adjudication Bureau

DVS:ss:state

Enclosure:

Amended Claim Referenced Above