

July 2, 2008

Craig L. Saxton
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J. Alfred May (1902-1985)

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RECEIVED

JUL 08 2008

DEPARTMENT OF
WATER RESOURCES

RE: Paul Wilson SRBA Late Claim 36-16490 and 36-16491

Dear Mr. Saxton:

This letter is in response to your inquiries regarding the New International Mortgage Bank Decree along with a couple of other questions. You had asked me to clarify whether or not your assumption was correct that Mr. Wilson's claims were claims for a portion of the historically decreed water in the New International Mortgage Bank v. Idaho Power Company case. Your assumption is correct. It was our intent to claim portions of that historical water right #36-123 decreed in the New International Mortgage Bank Decree.

In that same letter to me you also suggested that perhaps there was an error in a transposition of the location description for the place of use. We had claimed the place of use as the NENW when in truth and fact the land owned by Mr. Wilson is in the NWNW. There was, in fact, an error in filing. It appears that the place of use is the NENW rather than the NWNW.

Because of that error I have, pursuant to your suggestion, signed and enclosed the Amendments showing the error.

I have also determined that there is only one house and one guest house. Therefore, there should be only one claim of a domestic use. We did not know under which water right it should be claimed. The purpose of putting it in both water right numbers was not to get more water right than Mr. Wilson was entitled to or to have a duplication, but we did not know under which right it should appropriately be claimed.

Your final question was whether or not either water right was a claim of domestic use for internal use. I am not sure what is meant by internal use. It would seem that the domestic use is for use on this specific piece of property and in that sense

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it is an internal use. If there is a different definition that you are placing on internal use, could you please let me know what you are referring to so that we can appropriately answer that question?

Thanks again for your patience and, if there is anything further that we need to provide, please let me know.

Very truly yours,

MAY, SUDWEEKS & BROWNING, LLP

A handwritten signature in black ink, appearing to read "J. Dee May", written in a cursive style.

J. DEE MAY

JDM:mb

Enclosures

cc: Client

Rich Whitescarver

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

Ident. Number 36-16490
Date Received: 5/8/2007
Receipt No:
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

PAUL J WILSON Phone: (208)837-4180

1127 E 2900 S
HAGERMAN ID USA 83332

2. Date of Priority: 04/01/1886

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
07S	14E	31	NE	NW	1	GOODING	

5. Description of diverting works:

Pipes carry the water from the source to the place of use. Impact sprinkler heads distribute the water to the pasture.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.04	
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 2

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
07S	14E	31	NW	NW	1	IRRIGATION	0.5
Section Acres							0.5
Total Acres							0.5

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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: 0

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): J. Dee May, atty. for claimant Date: 6/30/08

Notice of Appearance:

Notice is hereby given that I, J. Dee May, 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 that address listed below.

Signature [Signature]

Address Box 1846, Twin Falls, ID 83301

Date 6/30/08