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RECEIVED

JAN 30 2009

DEPARTMENT OF
WATER RESOURCES

January 30, 2009

Mr. Don Shaff
Idaho Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

RE: Amended Claim for Wilson and Wilson 02-7272

Dear Mr. Shaff,

Last week, we discussed how best to resolve a series of objections that Ann Wilson of Wilson & Wilson Co. filed on water right claims 02-7272, 02-2054, 02-2047, and 02-10060. Per our discussion, please find an amended claim for 02-7272 that describes a permissible place of use (PPU) that encompasses the irrigated land under the four water rights. This same PPU is intended to be applied to all four rights.

The land list and the attached figure coincide to outline a total of 1177 acres. These acres were determined in ArcGIS by superimposing the GCDB quarter-quarter section line shapefile on the Adjudication photo and the outline of the irrigated area. Though the total area outlined is different than previous maps due to the technique used, the number of irrigated acres claimed does not change.

I hope this amended claim can advance this project to the next step of signing the SF-5. If you have any questions, please call.

Regards,

Steven R. Hannula

cc: Wilson & Wilson Co. Inc.

JAN 30 2009

Form No. 42-1409(2) a (Internet)

Should questions arise during the processing of this application please contact: DEPARTMENT OF
Steven Hannula - ERO Resources Corp. (208) 373-7983 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received: _____

Receipt No: _____

Received By: _____

AMENDED

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant(s) Wilson & Wilson Co Inc Phone (208) 366-2173Mailing Address PO Box 33 Hammett, ID Zip 83627
Street or Box City State2. Date of Priority (Only one (1) per claim) 10/23/1978
Month Day Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other (X) (a) Snake Riverwhich is tributary to (b) Columbia River4. a. Location of Point of Diversion is: Township 5S, Range 6E, Section 36,1/4 of SE 1/4 of SE 1/4, Govt. Lot 6, B.M., County of Owyhee

Additional points of diversion if any: _____

If available, GPS Coordinates _____

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 _____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. Four short coupled turbine or centrifugal pumps on concrete pump bay facility on Snake River, 6-inch to 26-inch mainline and distribution pipes to pivots and irrigation systems.

Last Name _____ Ident. Number _____

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)
 For IRRIGATION purposes from 3/15 to 11/15 amount 17.82 or 4455
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 17.82 (cfs) and/or (b) 4455 (acre feet)

8. Non-irrigation uses; describe fully. (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. 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.

TWN	RNG	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	6E	1			40.2						41			41	40.7	40.8	40.9	40.8	285.4
		12	41	40.5	28.1	40.7									40.6	33.6	32	40	296.5
		13	5.6																5.6
6S	7E	6							7.8	0.5	0.7	20	37.6						66.6
		7						38.4	38.9	40.1	40	39.8	40.6	40.1		21.7	25.9		325.5
		18		20.4			40	41.3	29.7	39.9	25.6	0.5							197.4

Total number of acres irrigated 891 in 1177

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

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.
02-2047, 02-2054, 02-10060 or None ()

13. Remarks: The above Place of Use represents the entire irrigated area in 1987 for water rights 02-7272, 02-2047, 02-2054, and 02-10060. The above land list is intended to be a Permissible Place of Use for all four rights. The acres listed were determined from the 1986 Adjudication photo and IDWR's shapefile of the GCDB quarter-quarter section lines.

Last Name _____ Ident. Number _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile.

**(Insert Grid for Map of Project from Original Claim Form
found in "IDWR Forms" File in ERO Filing Cabinets)**

SEE ATTACHED

Last Name _____ Ident. Number _____

14. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____ Decree _____

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 02-7272

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/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) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Secretary of Wilson & Wilson Co.
Title Organization

that I have signed the foregoing document in the space below as

Secretary of Wilson & Wilson Co.
Title Organization

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

Signature of Authorized Agent Arnt Wilson Date 1.29.08

Title and Organization Secretary : Wilson & Wilson Co.

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, _____, 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 _____

Date _____

Last Name _____ Ident. Number _____

