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DEPARTMENT OF
WATER RESOURCES

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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

Case No. 39576

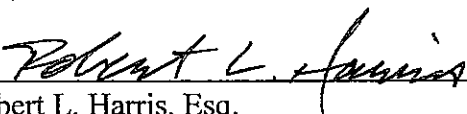
Subcase No.: 23-11J

**MOTION TO FILE AMENDED
NOTICE OF CLAIM**

COMES NOW Lynn Dixon, by and through counsel of record, Robert L. Harris, of the law firm Holden, Kidwell, Hahn & Crapo, PLLC, and hereby files this motion to amend Water Right No. 23-11J. The number acres claimed is less than the original acreage claimed, but it has come to the attention of the claimant that the diversion rate per acre calculation underclaimed the actual quantity that should be allowed per acre.

Claimant does not request oral argument on this issue, and due to the fact that this subcase is part of a number of other subcases split from original Water Right No. 23-11, which are due to come out very soon in the Department's spring Late Claims Report, we request that the Court grant the motion on its merits to keep the subcases grouped.

DATED this 12th day of May, 2009.


Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC

CERTIFICATE OF SERVICE

I certify that on this 12th day of May, 2009, 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:

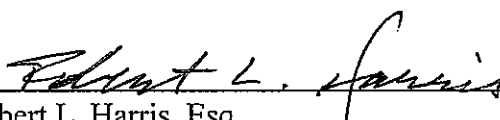
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. 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


Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC

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 23-11J

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s) Lynn Dixon Phone() _____

Mailing Address 311 S. State St., Ste. 460, Salt Lake City, UT Zip 84111

2. Date of Priority (Only (1) per claim) August 15, 1893

3. Source of water supply (a) Palisades Creek

which is tributary to (b) Snake River

4.a. Location of existing point of diversion is:

Township 1N Range 44E Section 26, SW 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____,

County of BONNEVILLE

Parcel (PIN) No. _____

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 _____

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. Headgate into Palisades Canal.

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/15 to 10/31 amount 3.540 cfs or _____

7. Total quantity claimed (a) 3.540 (cfs) and/or (b) _____ (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:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	44E	20			31	20				L3-17	L4-7	L4-34							109
		21										10.5							10.5

Parcel (PIN) No(s). _____

Total number of acres irrigated 119.5

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

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

_____ or None ()

13. Remarks:

Use of this right is combined with water from The Palisades Irrigation Co. Water is delivered through Palisades Canal.

14. Basis of Claim (Check one) Beneficial Use ___ Posted Notice ___ Permit ___ Decree X License ___

If applicable provide IDWR Water Right Number 23-11

Court District Court of the Sixth Judicial District of Fremont County, Idaho Case Number ___

Decree Date December 15, 1910 Plaintiff vs Defendant Rexburg Irrigation Co. et al. v. Teton Irr. Co. et al

15. 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 _____

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) Robert L. Harris Date May 12, 2009
for Lynn Dixon Date _____

Last Name Lynn Dixon Ident. Number 23-11J

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Harris, of the law firm Holden, Kidwell, Hahn & Crapo, PLLC, 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 Robert L. Harris

Address PO Box 50130, Idaho Falls, ID 83405-0130

Date May 12, 2009

G:\WPDATA\RLH\13890 Dixon, Lynn\Amended Claim, 23-11J, Dixon.wpd:cdv