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DEPARTMENT OF
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 SRBA

) Subcase 63-21780
)
) (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 Jon Watson

My address is P.O. 300 PARM A, IDAHO 83660

My phone number is: Work 208-722-5141 Home 208-412-9600

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

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:

This land needs more than one inch per
acre due to ditch loss and soil analysis.
Therefore C.F.S. claimed needs to be increased.

X

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

Diversion flow analysis by Agri-Lines (Attached)
Soil analysis (Hubble on file at I.D.W.R.)

I have attached:

☒ An amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR: N/A

COPY

VERIFICATION (Must be completed)

State of Idaho

County of Canyon

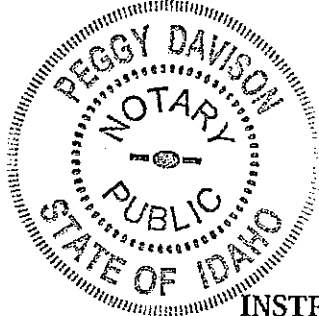
Jon C. Watson being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

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.

Jon C. Watson
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 07-20-09
(Insert Date)



Peggy Davison
Notary Public for IDAHO
Residing at: Wilder
My Commission expires: 07-12-2012

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 July 20th 2009, ~~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:

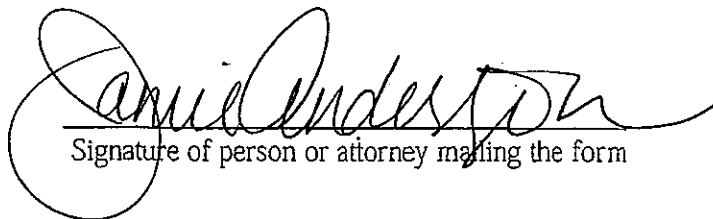
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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 63-21780
Date Received: 3/22/1990
Receipt No: C015872
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RIVER FLAT DITCH CO Phone: (208) 722-6761
C/O JON WATSON PRESIDENT
PO BOX 300
PARMA ID USA 83660

2. Date of Priority: 03/15/1890

3. Source: SAND HOLLOW CREEK Trib. to: ~~BOISE~~ SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	8	SE NE	CANYON	

5. Description of diverting works:

DIVERS. W/3+MI. GRAVITY DITCH, W/LATERALS, SOME PMP. & SPRK., 869 AC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	25.1	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used: 63-21779

14. Remarks:

Irrigation place of use covers 752 acres within the boundaries of the River Flat Ditch Co.

15. Basis of Claim: Beneficial Use

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 Organizations:

I do solemnly swear or affirm that I am President of
River Flat Ditch Co. that I have signed the foregoing
Organization Title
document in the space below as President of
River Flat Ditch Co. Title
Organization and that the statements contained in the
foregoing document are true and correct.

Don C. Watson
Signature of Authorized Agent
President River Flat Ditch Co.
Title and Organization

7/20/09
Date

State of Idaho

County of Canyon } SS.

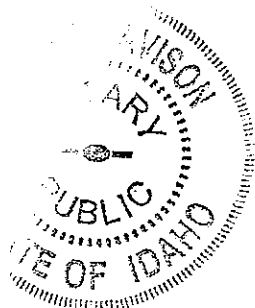
Subscribed and sworn (or affirmed) before me this

of July 2009

Don C. Watson
Notary Public

Residing at Milder, Idaho

My commission Expires 07-12-2012



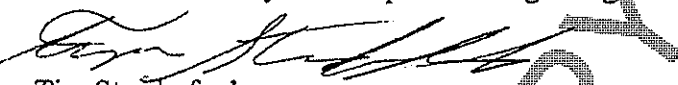
January 9, 2009

Jon Watson

Estimated Flow Thru Existing Arched CMP

Available tables show that the flow thru the existing 48" arched cmp (~36" x 58" corrugated metal pipe) will vary from 2,500 to 3,000 inches of water (1 inch = 9 gpm) under current operating conditions. The tables are based on the fact that the headwater is at least level with the top of the cmp. As the level increases so does the flow capacity of the structure. Water marks as much as 6" above the top of the inlet indicate the flows thru the pipe have reached 3,100 inches.

Please call with any further questions regarding this topic.


Tim Standerford
General Manager

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