

LAWSON LASKI CLARK & POGUE, PLLC
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DEC 14 2009

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Department of Water Resources

MULTIPLE PARTY FACSIMILE COVERSHEET

Date: 12/11/2009 Pages (including cover page): 6File No. 10245-002

To:	Albert P. Barker, Esq.	Fax: (208) 344-6034
To:	Craig D. Hobdey, Esq.	Fax: (208) 934-4420
To:	Michael P. Lawrence, Esq.	
To:	Christopher H. Meyer, Esq.	Fax: (208) 388-1300
To:	Scott L. Campbell, Esq.	
To:	Andrew J. Waldera, Esq.	Fax: (208) 385-5384
To:	Natural Resources Division Chief	
To:	Idaho Attorney General	Fax: (208) 854-8072
To:	United States Department of Justice	Fax: (208) 854-8072
To:	IDWR Document Depository	Fax: (208) 287-6701
To:	Nicholas B. Spencer, Esq.	
To:	Deputy Attorney General	Fax: (208) 287-6700
To:	Big Wood Canal Company	Fax: (208) 886-2010

From: Deb Erickson, Assistant to Edward A. LawsonRe: In Re SRBA Case No. 39576
Peter Trust LP - Subcase No. 37-4420**Comments:**Attached is an Amended Notice of Claim to a Water Right for subcase no. 37-4420.
Thank you.

ORIGINAL WILL:

BE SENT BY MAIL

BE SENT BY FEDEX/OVERNIGHT COURIER

BE SENT BY MESSENGER

X NOT BE SENT

CALL BACK: If the transmission to you was incomplete or not legible, please call the individual above listed at (208) 725-0055 or call the FAX operator at (208) 725-0055.

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Form No. 42-1409 (2) a 1/88

AMENDED

**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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number 37-4420

Date Received

Receipt Number

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

Please type or print clearly

1. Name of Claimant (s) Peter Trust LP Phone (208) 622-4987
Mailing Address P.O. Box 642, Sun Valley, ID Zip 83353
2. Date of Priority (Only one (1) per claim) 8/9/1969
3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River
4. a. Location of existing point of diversion is: Township 2N Range 18E Section 5,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: _____
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 and ditch to place of use

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Storage for Rec/Aes purposes from 1/1 to 12/31 amount _____ or 3.1

For Storage for Irrigation purposes from 1/1 to 12/31 amount _____ or 3.1

For Diversion to Storage purposes from 4/15 to 10/31 amount 3.2 or _____

For Irrigation from Storage purposes from 4/15 to 10/31 amount _____ or 263.9

7. Total quantity claimed (a) 3.2 (cfs) and / or (b) 263.9 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) Recreation and aesthetic purposes in a pond

10. 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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	4										12.4	19.0						31.4
2N	18E	5													36.0	8.0			44.0
2B	18E	5													Stor				

Total number of acres irrigated 75.4

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

12. 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.

13. Describe any other water rights used at the same place and for the same purposes as described above.

37-22255, 37-22256

Or None ☐

14. Remarks:

Diversion point and system same as that for 37-22255 and 37-22256 (formerly 37-862). Ditch flows into pond,
diversion from pond for irrigation. "Live flow" for irrigation purposes is covered under the aforementioned rights.

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-4420

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 _____

For Individuals: I do solemnly swear or affirm 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 that I am counsel _____

Of Peter Trust LP _____, that I have signed the foregoing

Document in the space below as counsel _____ of Peter Trust LP _____

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

Signature of Authorized Agent [Signature] _____

Title and Organization Counsel of Peter Trust LP Date 12/11/09

State of Idaho / or _____)
County of Blaine) ss.

Subscribed and sworn (or affirmed) before me this 11th day of December, 2009

Notary Public Heborah Erickson

Residing at Hailey ID

My Commission Expires 10-09-10



Please Print Name

17. 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 _____

Michael P. Lawrence, Esq.
Christopher H. Meyer, Esq.
P.O. Box 2720
Boise, ID 83701-2720

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy – (208) 388-1300

Scott L. Campbell, Esq.
Andrew J. Waldera, Esq.
P.O. Box 829
Boise, ID 83701-0829

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy – (208) 385-5384

Peter M. Thomas, Trust
Peter M. Thomas, Trust
Jerome D. Mack, Trustee
c/o E. Parry Thomas
P.O. Box 642
Sun Valley, ID 83353

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy



Edward A. Lawson

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 11th day of December, 2009, I caused to be served a true copy of the foregoing document by the method indicated below, and addressed to each of the following:

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

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy – (208) 287-6701

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy – (208) 854-8072

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy – (208) 854-8072

Albert P. Barker, Esq.
Barker Rosholt & Simpson LLP
PO Box 2139
Boise, ID 83701-2139

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Craig D. Hobdey, Esq.
PO Box 176
Gooding, ID 83330

☐ U.S. Mail, Postage Prepaid
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☒ Telecopy – (208) 934-4420

Nick Spencer, Esq.
Idaho Attorney General
PO Box 83720
Boise, ID 83720

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy – (208) 287-6700

Big Wood Canal Company
112 South Apple Street
Shoshone, ID 83352

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy – (208) 886-2010