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September 15, 2008

Ernie Carlsen
Eastern Region Office
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Amended Notice of Claim - Water Right No. 22-13125, in the Name of
William Battey

Dear Ernie:

Enclosed please find an amended Notice of Claim for Water Right No. 22-13125. As you may recall, the issues surrounding this water right is which side of the property line between private land and Forest Service land the point of diversion should be listed as. After meeting at the initial hearing, we concluded that it should be moved to the SWNWSE. We asked the Court for the ability to file an Amended Notice of Claim, which it granted. This is the Amended Notice of Claim, and as we understand it, there is no need for an any additional filing fees. If you have any questions or concerns, please let us know.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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SEP 16 2008

Department of Water Resources
Eastern Region

Established in 1896

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 22-13125

Date Received _____

Receipt Number _____

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

DISTRICT COURT-SNEA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 25 2008

1. Name of Claimant(s) William R. Battey, Jr. Phone (917) 225-2378

Mailing Address 17 Tory Hole Rd., Darien, CT Zip 06820

2. Date of Priority (Only (1) per claim) June 1, 1962

3. Source of water supply (a) Henderson Creek

which is tributary to (b) Teton River

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

Township 4N Range 44E Section 25, SW 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____,
County of TETON

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. Overflow from headgate diverts water into ten inch pipe

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

For Stockwater purposes from 04/01 to 10/31 amount 0.04 or _____

7. Total quantity claimed (a) 0.04 (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.) Stockwater - 12 Horses

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Department of Water Resources
Eastern Region

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the ation 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	
4N	44E	25														S			

Total number of acres irrigated _____

10. In which county(ies) are lands listed above as place of use located? TETON
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: This amended claim is necessary because it was discovered that the point of diversion is located just across a center section line in SWNWSE. The SRBA Court has already granted claimant's motion to file this claim.
14. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice ☐ Permit ☐ Decree ☐ License ☐
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____
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. Jamies Date Sept. 15, 2008
ATTORNEY

Date _____

Last Name William R. Battey, Jr. Ident. Number 22-13125

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Harris, 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: September 8, 2008

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