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DEPARTMENT OF
WATER RESOURCES

IDBA Form No. 42-1409-1 (Internet 2/07)

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: See Attachment C
Date Received: _____
Receipt No: _____
Received By: _____

Amended

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) See Attachment A Phone (208) _____

Mailing Address P.O. Box 669 Hailey ID 83333
Street or Box State ZIP

2. Date of Priority (Only one (1) per claim) See Attachment D
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of Point of Diversion is: Township 3N, Range 18E, Section 20,
SW, 1/4 of NW, 1/4 Govt. Lot _____, BM., County of Blaine

Parcel (PIN) no. n/a

Additional points of diversion if any: none

If available, GPS Coordinates n/a

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., 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. An existing headgate diverts water into the Hiawatha Canal and
associated lateral ditches for delivery to private water right holders.

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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 notices 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: 3

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

_____ of _____
Title Organization

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

_____ of _____
Title Organization

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

Signature of Authorized Agent [Signature] Date 4/11/11

Title and Organization Attorney

16. Notice of Appearance:

Notice is hereby given that I, Fritz X. Nasmund, will be acting as attorney at law of 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 [Signature] Date 4/11/11

Address P.O. Box 1800
Hailey, ID 83337

Last Name _____ Identification No. _____

Attachment A

1. **Name of Claimant(s):** Hiawatha Canal Water Users' Association of Lateral or Laterals

Attachment B - Place of Use

TOWNSHIP	RANGE	SEC	QQ	GOVT LOT NUM
02N	18E	3	SWSW	
02N	18E	4	NWNE	2
02N	18E	4	SWNE	
02N	18E	4	SENE	
02N	18E	4	NENW	3
02N	18E	4	SENW	
02N	18E	4	NESW	
02N	18E	4	NWSW	
02N	18E	4	NESE	
02N	18E	4	NWSE	
02N	18E	4	SESE	
02N	18E	9	NENE	
02N	18E	10	SWNE	
02N	18E	10	SENE	
02N	18E	10	NENW	
02N	18E	10	NWNW	
02N	18E	10	SWNW	
02N	18E	10	SENW	
02N	18E	10	NWSW	
02N	18E	10	SWSW	
02N	18E	10	SESW	
02N	18E	10	NESE	
02N	18E	10	NWSE	
02N	18E	10	SWSE	
02N	18E	10	SESE	
02N	18E	14	SWNW	
02N	18E	14	NWSW	
02N	18E	14	SWSW	
02N	18E	14	SESW	
02N	18E	15	NENE	
02N	18E	15	SWNE	
02N	18E	15	SENE	
02N	18E	15	NENW	
02N	18E	15	SENW	
02N	18E	15	NESE	
02N	18E	15	NWSE	
02N	18E	15	SESE	
02N	18E	22	NENE	
02N	18E	23	NWNE	
02N	18E	23	SWNE	
02N	18E	23	NENW	
02N	18E	23	NWNW	
02N	18E	23	SWNW	
02N	18E	23	SENW	

Attachment B - Place of Use

TOWNSHIP	RANGE	SEC	QQ	GOVT LOT NUM
02N	18E	23	NESW	
02N	18E	23	SESW	
02N	18E	23	NWSE	
02N	18E	23	SWSE	
02N	18E	23	SESE	
03N	18E	20	SWNE	
03N	18E	20	SWNW	
03N	18E	20	SENW	
03N	18E	20	NESW	
03N	18E	20	SESW	
03N	18E	20	NESE	
03N	18E	20	NWSE	
03N	18E	20	SWSE	
03N	18E	20	SESE	
03N	18E	21	SWSW	
03N	18E	28	NWNW	
03N	18E	28	SWNW	
03N	18E	28	NWSW	
03N	18E	28	SWSW	
03N	18E	29	NENE	
03N	18E	29	NWNE	
03N	18E	29	SWNE	
03N	18E	29	SENE	
03N	18E	29	NESW	
03N	18E	29	SWSW	
03N	18E	29	SESW	
03N	18E	29	NESE	
03N	18E	29	NWSE	
03N	18E	29	SESE	
03N	18E	32	NENE	
03N	18E	32	SENE	
03N	18E	32	NESE	
03N	18E	33	NENW	
03N	18E	33	NWNW	
03N	18E	33	SWNW	
03N	18E	33	SENW	
03N	18E	33	NESW	
03N	18E	33	SESW	

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile

See Attachment C

Last Name _____ Identification No. _____



ATTACHMENT D

Claimant: Hiawatha Canal Water Users Association of Lateral or Laterals

<u>Water Right</u>	<u>Quantity for:</u>	<u>Priority Date:</u>
37-191	0.572 cfs	4/30/1889
37-483	0.600 cfs	8/1/1902
37-905A	0.28 cfs	4/1/1940
37-905B	0.08 cfs	4/1/1940
37-918	0.019 cfs	4/1/1940
37-11483	1.392 cfs	3/24/1883
37-11489	2.8 cfs	4/30/1889
37-14296	0.069 cfs	3/24/1883
37-22157	0.006 cfs	3/24/1883

CERTIFICATE OF MAILING

I certify that on April 11, 2009, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the claimant of the water right at the following address:

HEART ROCK RANCH, LLC
191 Albion Ave
Woodside, CA 94602

Larue and Wayne Tingey
272 Old Saybrook Dr.
Boise, ID 83706

Larue B. Tingey
2359 Stadium Blvd.
Twin Falls, ID 83301

JD Spring Creek Ranch
17645 Hwy. 20
Bellevue, ID

Davis Investment Co.
P.O. Box 92978
Long Beach, CA 90809

Gary and Betty Marcroft
P.O. Box 732
Hailey, ID 83333

Coyote Bluff Ranch, LLC
P.O. Box 2063
Ketchum, ID 83340

Bernd M. Stipa
Chistiane Donnelly Stipa
812 Douglas Ave.
San Marcos, CA 92069

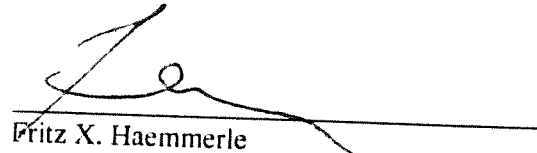
3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Big Wood Canal Company
c/o Craig Hobdey
P.O. Box 176
Gooding, ID 83303-0176



Fritz X. Haemmerle