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SRBA Form No.42-1409-1 (Internet 2/09)

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM****CIVIL CASE NUMBER: 39576**Ident. Number 22-4046

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) Dale Daw Phone (208) 390-6081
Mailing Address 2650 E 300 N St. Anthony ID 83445
Street or Box City State ZIP
2. Date of Priority (Only one (1) per claim) 05/10/1946
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 7N, Range 41E, Section 20,
SW, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of Fremont County

Parcel (PIN) no. _____

Additional points of diversion if any: T7N R41E Section 20, SWSE, Fremont County

If available, GPS Coordinates _____

- 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. Wells to ditches to headgates; Wells drilled in 1946 due to lack of surface water availability because of topography. Place of use was adjusted when surface water became available on parts of the farm after reconstruction of canals following the Teton Dam Flood. Accomplished changes in place of use have occurred before the onset of the SRBA to ultimately what is irrigated under the right today. Water was delivered to the potato warehouse by means of a ditch, through a flume inside the warehouse, and out onto a field for irrigation.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 10/31 amount 6.16 or

For Industrial purposes from 1/01 to 12/31 amount 0.5 or

For Recreation purposes from 1/01 to 12/31 amount 0.5 or

For purposes from to amount or

7. Total quantity claimed (a) 6.16 (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.) I-potato warehouse for washing and processing; R-swimming, ice skating

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	41E	20			20										40	40	40	40	180
												I						R	
		21							30			40	40						110
		28		6			9	3											18

Parcel (PIN) no(s).

Total number of acres irrigated 308

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

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.

1 Share in Fall River and shares in Wilford Canals or None ()

13. Remarks: This right was previously claimed by Clinton Peterson in the SRBA, but he filed it on the wrong form and as a result, was only decreed the Domestic Portion of the right. This claim is to capture the developed ground water right by Mr. Peterson for 6.36 cfs, which was originally diverted from at least 2 main wells onto the farm, originally owned by several families. Mr. Peterson rented all the ground and developed the right as a primary water right. Since development, the place of use has shifted to accommodate irrigation practices as canal water became available. The claimed place of use is based on practices prior to 1987. Claimant does not own the place of use for the industrial use.

Last Name Daw Identification No. 22-4046

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 22-4046

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: _____

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) Dale Paw Date: 12-20-11
_____ 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 _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, Jerry R. Rigby, 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 12-20-11

Address 25 N. 2nd E. Rexburg, ID 83440

Last Name Daw Identification No. 22-4046

CERTIFICATE OF MAILING

I certify that on December 20, 2011, 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

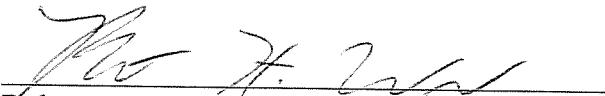
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, ID 83303-2707

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 Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724


Robert H. Wood