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DEPARTMENT OF
WATER RESOURCES

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Attorneys at Law

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May 31, 2012

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

Re: Wilson & Wilson Co. Water Right
SRBA Case No. 39576

#2-2049 pp 6-12

Dear Clerk:

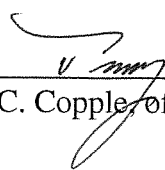
Enclosed herewith please find the original Notice Of Claim To A Water Right Acquired Under State Law and Motion To Modify Or Set Aside Partial Decrees with regard to the above-entitled matter for filing with the District Court, Snake River Basin Adjudication.

Accordingly, please file the enclosed as soon as possible.

If you have any questions about the foregoing, please do not hesitate to contact me.

Very truly yours,

DAVISON, COPPLE, COPPLE & COPPLE, LLP

By: 
Terry C. Copple, of the firm

TCC/tap
Enclosures

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 2-2049
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WILSON & WILSON CO INC Phone: (208) 366-2173
PO BOX 33
HAMMETT ID 83627

2. Date of Priority: 12/14/1944

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	06E	36	SE SE 6	OWYHEE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/01	0.90	

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

8. Non-irrigation uses:

9. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	06E	1	SW NE	IRRIGATION	38
			NE SW	IRRIGATION	33

			SE	SW		IRRIGATION	33
			NE	SE		IRRIGATION	33
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	27
						Section Acres	244
06S	06E	12	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	38.4
			SW	NE		IRRIGATION	28.1
			SE	NE		IRRIGATION	39
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	33.6
			SW	SE		IRRIGATION	32
			SE	SE		IRRIGATION	40
						Section Acres	291.1
06S	06E	13	NE	NE		IRRIGATION	5.6
						Section Acres	5.6
06S	07E	6	SW	NW	5	IRRIGATION	6.5
			SE	NW		IRRIGATION	0.5
			NE	SW		IRRIGATION	0.7
			NW	SW	6	IRRIGATION	20
			SW	SW	7	IRRIGATION	37.6
						Section Acres	65.3
06S	07E	7	NW	NW	1	IRRIGATION	38.4
			SW	NW	2	IRRIGATION	38.9
			SE	NW		IRRIGATION	27
			NE	SW		IRRIGATION	38
			NW	SW	3	IRRIGATION	40
			SW	SW	4	IRRIGATION	40
			SE	SW		IRRIGATION	40
			NW	SE		IRRIGATION	21.7
			SW	SE		IRRIGATION	25.9
						Section Acres	309.9
06S	07E	18	NW	NE		IRRIGATION	20.4
			NE	NW		IRRIGATION	40
			NW	NW	1	IRRIGATION	38
			SW	NW	2	IRRIGATION	29.7
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	25.6
			NW	SW	3	IRRIGATION	0.5
						Section Acres	194.2
						Total Acres	1110.1

10. Place of use in counties: OWYHEE

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used:

2-2047, 2-2054, 2-7272 and 2-10060

13. Remarks:

This claim, along with the previously filed late claim 2-2050, will add a sufficient number of acres to the permissible place of use described above so that the previously decreed enlargement right, 2-10060, will no longer be necessary. This claim is for the irrigation of 45 acres within the place of use described above in a single irrigation season.

14. Basis of Claim: License

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 Organizations:

I do solemnly swear or affirm under penalty of perjury that I am

President Title of Wilson & Wilson Co. Organization

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

President Title of Wilson & Wilson Co. Organization

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

Ann T. Wilson
Signature of Authorized Agent

President Wilson & Wilson Co.
Title and Organization

5.29.2012
Date

JUN 01 2012

DEPARTMENT OF
WATER RESOURCES

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MICHAEL E. BAND (ISB No. 8480)
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Attorneys for Wilson & Wilson Company, Inc.

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,
Case No. 39576

Subcase Nos. 2-2047, 2-2049, 2-2050, 2-
2054, 2-7272, and 2-10060

MOTION TO MODIFY OR SET ASIDE
PARTIAL DECREES

COMES NOW, Claimant Wilson & Wilson Company, Inc. ("Claimant"), by and through its attorneys of record, Terry C. Copple and Michael E. Band of the firm Davison Copple, Copple & Copple, of Boise, Idaho and hereby moves this Court pursuant to IDAHO RULE OF CIVIL PROCEDURE 60(b) to modify the Partial Decrees to water rights 2-2047, 2-2054, 2-7272, and set aside the Partial Decree to enlargement right 2-10060.

This motion is made on the grounds and for the reason that Claimant has filed late claim numbers 2-2049 and 2-2050 which, if granted, will add a sufficient number of acres to the permissible place of use described in the foregoing water rights so that the previously decreed enlargement right, 2-10060, will no longer be necessary. Claimant anticipates that the conditions of water right numbers 2-2047, 2-2054, and 2-7272 may need to be modified, accordingly.

Therefore, Claimant respectfully requests this court to modify the Partial Decrees to water rights 2-2047, 2-2054, 2-7272, and set aside the Partial Decree to enlargement right 2-10060. Claimant reserves the right to supplement this motion with additional information as necessary. Claimant anticipates that upon receipt of this motion, the Court will set an appropriate time and date for hearing to have the matter heard.

DATED this 31 day of May, 2012.

DAVISON, COPPLE, COPPLE & COPPLE, LLP

By: 
Michael E. Band, of the firm
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 31 day of May, 2012, I caused a true and accurate copy of the foregoing document to be served upon the following individual, by the method indicated, and addressed as follows:

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

[☒] U.S. Mail, postage prepaid
[☐] Hand Delivered
[☐] Facsimile
[☐] E-Mail

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

[☒] U.S. Mail, postage prepaid
[☐] Hand Delivered
[☐] Facsimile
[☐] E-Mail

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

[☒] U.S. Mail, postage prepaid
[☐] Hand Delivered
[☐] Facsimile
[☐] E-Mail

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

[☒] U.S. Mail, postage prepaid
[☐] Hand Delivered
[☐] Facsimile
[☐] E-Mail



Michael E. Band