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OCT 01 2013

DEPARTMENT OF
WATER RESOURCES

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Attorneys for Grandview Mutual Canal Company

**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	)	Subcase 02-00080
	)	(Insert water right number)
	)	
Case 38576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE
	)	☐ LATE NOTICE OF CLAIM
	)	☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water tight number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

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X I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Oct. 10, 1997).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing Grandview Mutual Canal Co.

My name is Daniel V. Steenson

My address is Sawtooth Law Offices, PLLC, P.O. Box 7985, Boise, ID 83707

My phone number is (208) 629-7447

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

X I must amend my Notice of Claim to the use of water in the SRBA because:

The partial decree for water right no. 02-00080 does not reflect the claimant's historic, actual diversion and beneficial use of water. The additional quantity the claimant seeks is for conveyance losses in delivering water through the Grandview Mutual Canal. This additional water is essential for the irrigation of lands that receive water through the Grandview Mutual Canal.

☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

X An amended Notice of Claim (available from IDWR).

☐ Payment of the following additional fees required by IDWR:

N/A

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VERIFICATION (Must be completed)

State of Idaho

County of ADA

Daniel V. Steenson, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

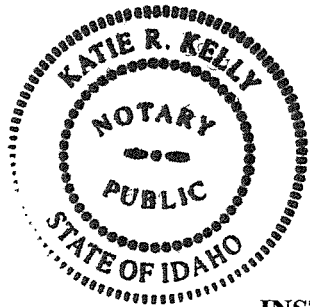
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I. C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

Daniel V. Steenson

Attorney signing in representative capacity

Subscribed and sworn to before me on September 30, 2013
(Insert Date)



Katie R. Kelly
Notary Public for Idaho
Residing at: Oasis, ID
My Commission expires: 2/20/14

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all parties listed below in the Certificate of Mailing.

COPY

CERTIFICATE OF MAILING

I certify that on September 30, 2013 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

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

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

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

Frances Field
Oscar & Frances Field Family
Represented by:
Josephine P Beeman
409 West Jefferson Street
Boise, ID 83702



Signature of person or attorney mailing form

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE DEPARTMENT OF
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS WATER RESOURCES

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Indent. Number 02-00080

Date Received _____

Receipt Number _____

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

Please type or print clearly

1. Name of Claimant(s) Grandview Mutual Canal Company Phone (208) 834-2350
Mailing Address PO Box 9, Grand View, Idaho Zip 83624
2. Date of Priority only (1) per claim April 1, 1952
3. Source of water supply (a) Snake River
which is tributary to (b) Columbia River
4. a. Location of existing point of diversion is: Township 05S Range 04E Section 34,
1/4 of NW 1/4 SW 1/4, Govt. Lot, 10 B.M., County of Owyhee
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 enlargement in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. C.J. Strike Dam.
6. Water is claimed for the following purposes:
(both dates are inclusive) (cfs) (acre feet)
For Irrigation (conveyance losses) purposes from 3/15 to 10/31 amount 62.00 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed (a) 62.00 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is N/A acre fee per annum.

Last Name Grandview Mutual Canal Co. Ident. Number 02-00080

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Form No. 42-1409 (2) a 9/88 (Internet)

9. Non-Irrigation uses; describe fully (e.g. Domestic: Give number of households served; Stockwater Type and number of livestock etc.)

10. Description of place of use: DIGITAL BOUNDARY ON FILE
- 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.

Total number of acres irrigated 2914

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

12. Do you own the property listed above as place of use? Yes _____ No X

13. Describe any other water rights used at the same place and for the same purposes as described above.
The following rights are for irrigation from these diversions: 02-00081, 02-7336 or None ()

14. Remarks:

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

SCALE: 2 inches equal 1 mile. Draw plan in ink. See **Attached IDWR map.**

[illegible]

Last Name Grandview Mutual Canal Co. Ident. Number 02-00080

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Form No. 42-1409 (2) a 9/88 (Internet)

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

If applicable provide IDWR Water Right Number 02-00080
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 Organizations: I do solemnly swear or affirm that I am Attorney _____ Title _____
of Grandview Mutual Canal Company _____, that I have signed the foregoing
Organization
document in the space below as Attorney _____ of Grandview Mutual Canal Company _____
Title _____ organization
and that the statements contained in the foregoing document are true and correct.
Signature of Authorized Agent Manuel Steenson
Title and Organization Attorney, Grandview Mutual C.C. Date 9-30-13

State of Idaho/or _____)
County of Ada _____) SS.

Subscribed and sworn (or affirmed) before me this 30th day of September 2013
~~2008~~

SEAL



Notary Public Katie R. Kelly

Residing at Oasis, ID

My Commission Expires 2/20/14

16. Notice of Appearance
Notice is hereby given that Manuel V. Steenson will be acting as attorney at law on behalf of the claimant signing above, and 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 Manuel Steenson

Address P.O. Box 7985, Boise, Idaho 83707

Date 9-30-13

Last Name Grandview Mutual Canal Co. Ident. Number 02-00080

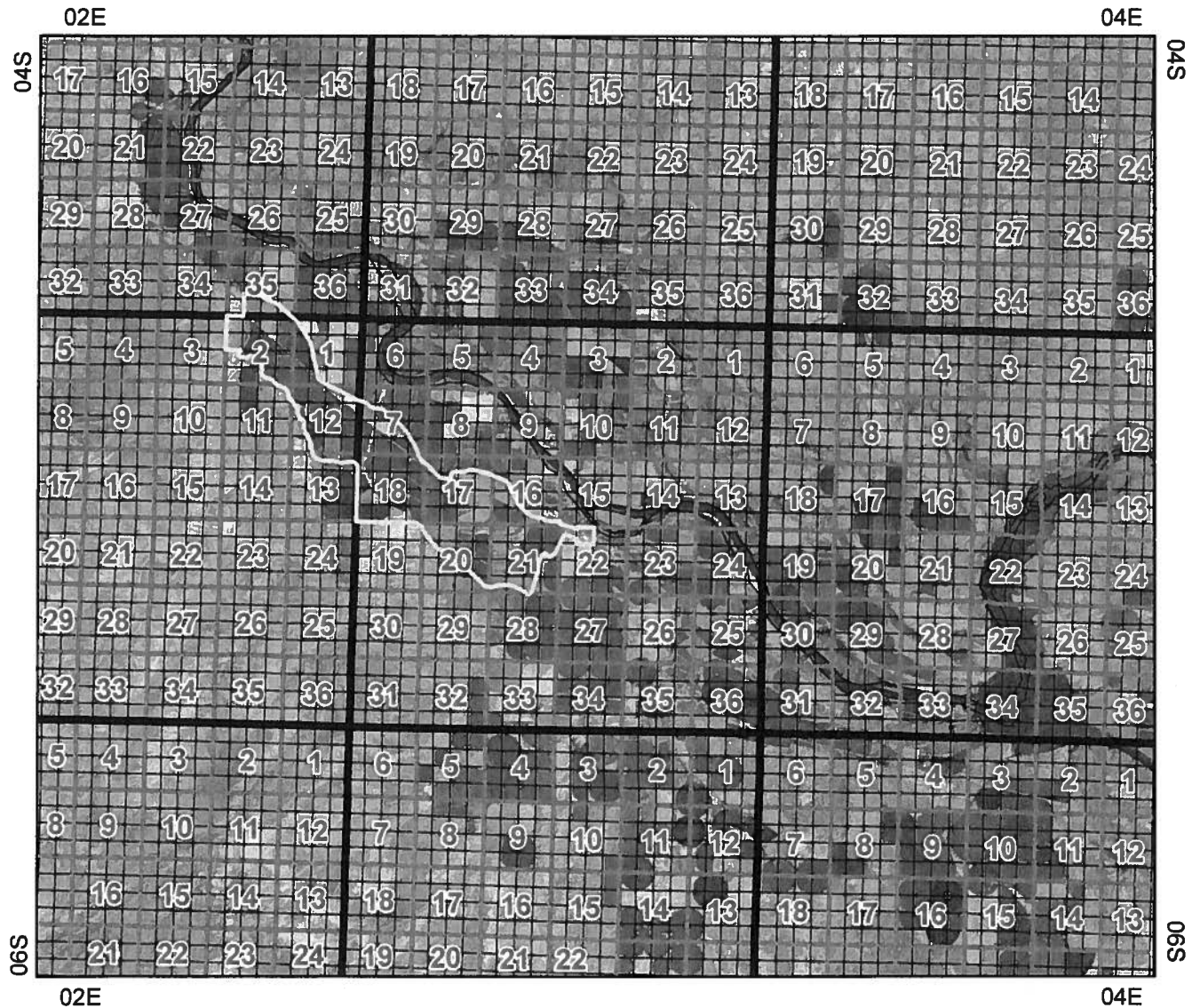
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State of Idaho
Department of Water Resources

Water Right 2-80

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

