

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

RECEIVED

MAR 07 2016

DEPARTMENT OF
WATER RESOURCES

In Re CSRBA

) Subcase 91-7048
)
)

Case No. 49576
)
)
)
_____)

STANDARD FORM 3

MOTION TO FILE AMENDED NOTICE OF
CLAIM

INSTRUCTIONS

This form is used to file 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 CSRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form.

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

By filing 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.

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.



I have read **CSRBA Administrative Order 1**, Rules of Procedure.

My name is Michael Moline

My address is 408 W High Drive, Spokane, WA 99203

My phone number is: Work _____ Home (509) 744-0408

☐ I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

☒ I must amend my Notice of Claim to the use of water in the CSRBA because:

It has been brought to my attention that the claim filed on May 3, 2011, by the previous owners, did not match the original license.

☐ 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:

- ☒ A fully completed amended Notice of Claim (available from IDWR).
- ☐ Any additional claim filing fee required pursuant to I.C. § 42-1412(2). To determine this amount, contact IDWR at (800) 451-4129.

I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

INSTRUCTIONS FOR MAILING

You must mail this motion to the Clerk of the court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed before in the Certificate of Mailing.

CERTIFICATE OF MAILING

I hereby certify that on MARCH 2, 2016, I mailed the original and copies of this motion, including all attachments to the following persons:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to each party involved in the Subcase, including the claimant, all objectors, respondents and any party granted participation. Attach a list of names and addresses.

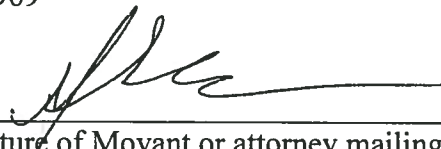
3. Copies to:

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 the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

Coeur d'Alene Tribe
Represented by:
Howard A. Funke
424 Sherman Avenue, Suite 308
PO Box 969
Coeur d'Alene, ID 83816-0969



Signature of Movant or attorney mailing
on Movant's behalf