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SEP 18 1996

Department of Water Resources

Movant:

Lee Watson

Attorney Name and Address:

HEPWORTH, LEZAMIZ & HOHNHORST,
CHARTERED
133 Shoshone St. North
P.O. Box 389
Twin Falls, ID 83303-0389
Telephone: (208)734-7510

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 Nos. 34-00182, 34-00381A
) and 34-02379F
)

Case No. 39576

) MOTION TO AMEND
) ADMINISTRATION ORDER IN
) REPORTING AREA 3

* * * * *

COMES NOW Lee Watson, by and through his counsel of record, Patrick D. Brown of the law firm of Hepworth, Lezamiz & Hohnhorst, Chartered, and moves this court under I.R.C.P. 16 and Idaho Code §42-1417 to issue an order modifying, in part, Permanent Order for Interim Administration in Reporting Area 1 (Basin 34), dated December 20, 1995.

That order commands that administration of water rights in Basin 34 shall "continue on the basis that the respective rights and priorities of the claimants in this area shall be administered as they were reported in the Director's Report." The movant's rights enumerated as Nos. 34-00182, 34-00381A and 34-02379F are rights which IDWR has

HEH
Chartered
Hepworth,
Lezamiz &
Hohnhorst

MOTION TO AMEND ADMINISTRATION ORDER FOR REPORTING AREA 3 - 1

1 refused to deliver on the grounds that they are not within the Director's Report.

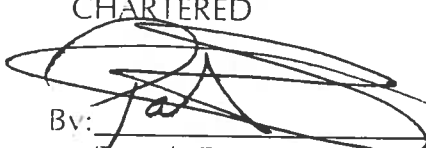
2 On October 18, 1994, this court entered its Order Granting Motion to Lift Stay
3 to File Late Claim and Order Granting Motion to File Late Claim, regarding each of the three
4 rights. Late claims were then filed in each subcase. But, as this court's records reveal,
5 IDWR has not filed recommendations in response to the late claims.

6 Therefore, in order to obtain delivery of water in order to plant fall crops, it
7 is necessary for the movant to obtain an order from this Court modifying the December 20,
8 1995, Order or otherwise directing the rights to be distributed to the movant by the
9 Watermaster and IDWR.

10 This Motion is supported by the Affidavits of Patrick D. Brown and Lee
11 Watson which are being filed contemporaneously with it. Oral argument is requested at the
12 earliest convenience of the court. Due to the time of year and need for water, the movant
13 moves the court for a hearing on this motion on an expedited basis according to notice
14 deemed appropriate by this court.

15 Respectfully submitted this 17 day of September, 1996.

16 HEPWORTH, LEZAMIZ & HOHNHORST,
17 CHARTERED

18 
19 By: Patrick D. Brown
20 Attorneys for Movant

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CERTIFICATE OF SERVICE

The undersigned, a resident attorney of the State of Idaho, with offices at 133 Shoshone St. North, P.O. Box 389, Twin Falls, Idaho 83303, and one of the attorneys for the claimants in this matter, certifies that on the 17 day of September, 1996, he served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

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

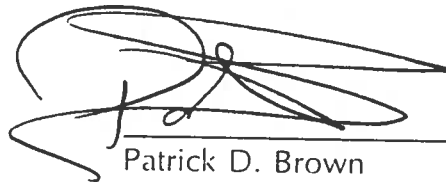
☒ U.S. Mail
☐ Hand Delivered
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☐ Telecopy (Fax)

United States Dept. of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

Director of IDWR
P. O. Box 83720
Boise, ID 83701-2139

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Patrick D. Brown

(WATER\61291\MTN.916)lt