

11/04/2009

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13937

NAME AND ADDRESS: JAMES WILLIAM BEARD AND LEONA BEARD TRUST
RT 1 BOX 1790
TETONIA ID 83452

SOURCE: UNNAMED STREAM

TRIBUTARY: TETON CREEK

QUANTITY: 1.950 CFS

The rights listed below are limited to a total combined diversion rate of 4.42 cfs. Combined Right Nos.: 22-13748, 22-13749, and 22-13937.

PRIORITY DATE: 04/15/1940

POINT OF DIVERSION:

T04N R45E S3 NENENE Lot 1 Within TETON County

T04N R45E S3 NESENW Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.950 CFS

PLACE OF USE:

IRRIGATION in TETON County

T04N R45E S03	SWNE	29.00	T04N R45E S03	SENE	6.80
T04N R45E S03	SWNW	3.60	T04N R45E S03	SENW	31.00
T04N R45E S03	NESW	11.00	T04N R45E S03	NWSW	13.00
T04N R45E S03	NWSE	3.00			

97.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 220.8 acres in a single irrigation season. Combined Right Nos.: 22-13748, 22-13749, and 22-13937.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

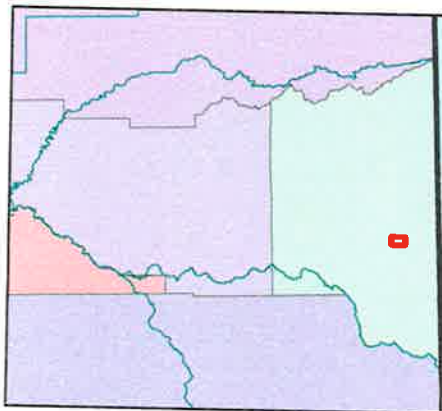
Adjudication Recommendation

22-13937

(IRRIGATION)

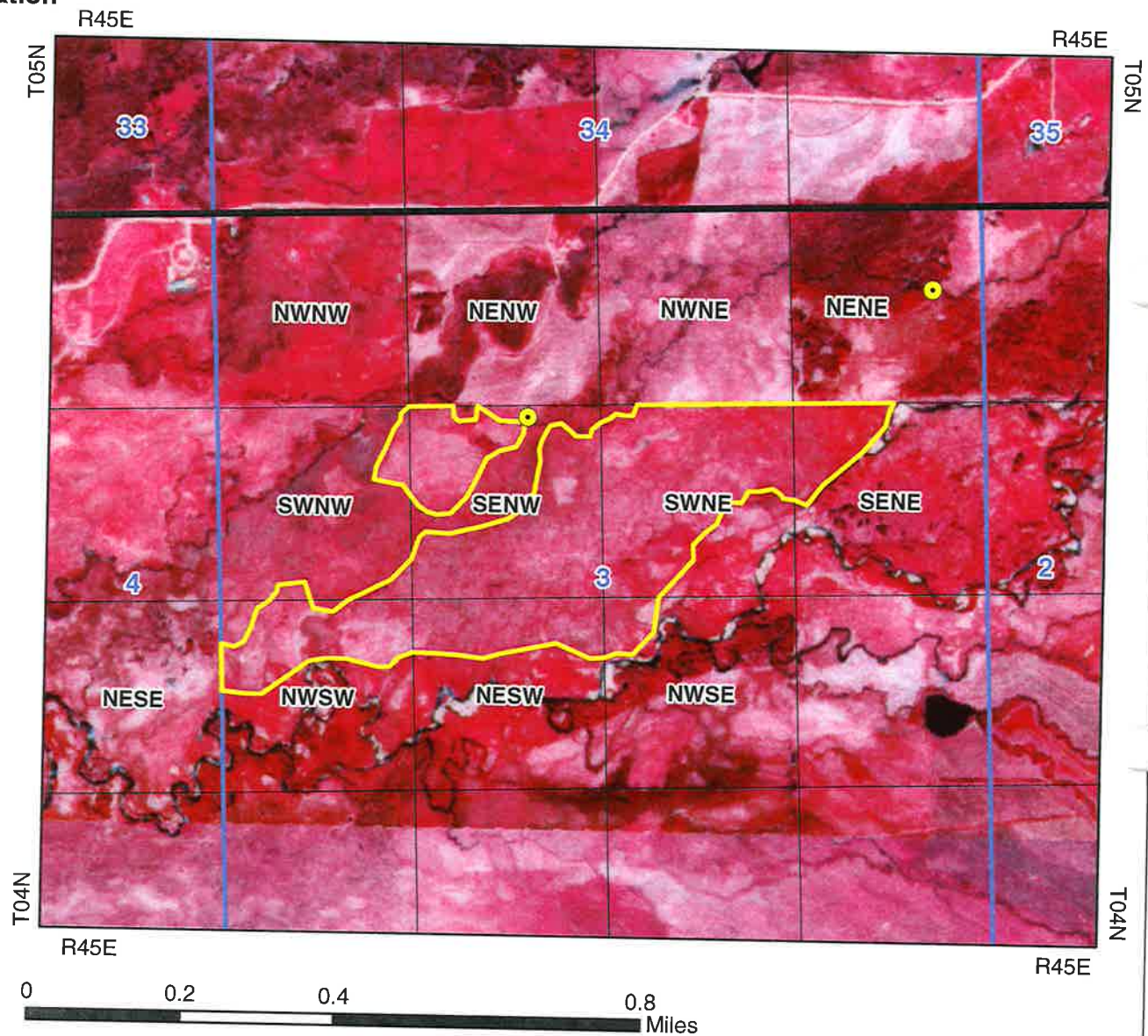
Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Teton County
IDWR Basin 22

Prepared by Michael Holliday
On November 04, 2009
1987/88 Aerial Photography





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 5, 2009

JAMES WILLIAM BEARD AND LEONA BEARD TRUST
RT 1 BOX 1790
TETONIA ID 83452

RE: Snake River Basin Adjudication (SRBA)
Late Notice of Claim to a Water Right #22-13937

Dear Claimants:

The Notice of Claim you filed was received from the SRBA Court recently. I have enclosed Receipt #C089316 for the filing fees you paid. Please retain the receipt for your records.

Your Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4916 if you have any questions.

Sincerely,

for 
Craig L. Saxton
Water Rights Supervisor
Adjudication Bureau

CLS:ss:state

Enclosure:

Receipt referenced above

SCANNED

OCT 05 2009

RECEIVED

JUN 03 2009

DEPARTMENT OF
WATER RESOURCES

Hearings: 9-15-09

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

*all done by
MWH*

In Re SRBA *Claim 13 complete*)

Fees Good)

Case 39576

C. Engler)

6-23-09)

Subcase 22-13937

(Insert water right number)

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 right 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.

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is James W. Board

My address is RT 1 Box 1790
Antonia ID 83452

My phone number is: Work _____ Home 303 76 9810

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

There is a source of water that I recognize
the property that I didn't file separately

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

See Affidavit Claim 22-13742

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. 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 \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. 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 \$ 100.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on TUES SEPT 15, 2009 1:30 PM
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

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.

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

VERIFICATION (Must be completed)

State of Idaho

County of Teton

James W Beard, 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.

James W Beard
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on May 29, 2009
(Insert Date)



Bobby Kern
Notary Public for State of Idaho
Residing at: Mountain Falls
My Commission expires: 9-12-2014

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 the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on _____, 199____, 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.

(Insert Names/address of parties)

Signature of person or attorney mailing the form

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 22-13937
Date Received: 5/29/2009
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES WILLIAM BEARD AND LEONA BEARD TRUST Phone: (307)576-2810
RT 1 BOX 1790
TETONIA ID USA 83452

2. Date of Priority: 07/01/1922

3. Source: UNNAMED STREAM Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	3	NE SE NW	TETON	
04N	45E	3	NE NE NE 1	TETON	

5. Description of diverting works:

HEADGATE TO DITCH AND CHECK STRUCTURE TO DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	45E	3	SW NE	IRRIGATION	29
			SE NE	IRRIGATION	6.8
			SW NW	IRRIGATION	3.6
			SE NW	IRRIGATION	31
			NE SW	IRRIGATION	11

NW	SW	IRRIGATION	13
NW	SE	IRRIGATION	3
		Section Acres	97.4
		Total Acres	97.4

11. Place of use in counties: TETON
12. Do you own the property listed above as place of use? Yes
13. Other Water Rights Used:
14. Remarks:

LATE CLAIM AWAITING ACCEPTANCE BY SRBA COURT.

15. Basis of Claim: Beneficial Use

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 trustee of
Beard Family Trust Title
Beard Family Trust Organization, that I have signed the foregoing
document in the space below as trustee of
Beard Family Trust Title
Beard Family Trust Organization and that the statements contained in the
foregoing document are true and correct. Jamie W Beard
Signature of Authorized Agent
trustee Beard Family Trust
Title and Organization
5/29/09
Date

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of May 2009 Bobby Kern



Notary Public
Residing at Idaho Falls
My commission Expires 9-12-2014

168

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 22-13937
Date Received: 5/29/2009
Receipt No: C089316
Received By: MWH

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

1. Name of Claimant(s)

JAMES WILLIAM BEARD AND LEONA BEARD TRUST Phone: (307) 576-2810
RT 1 BOX 1790
TETONIA ID USA 83452

2. Date of Priority: 07/01/1922

3. Source: UNNAMED STREAM Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	3	NE SE NW	TETON	
04N	45E	3	NE NE NE 1	TETON	

5. Description of diverting works:

HEADGATE TO DITCH AND CHECK STRUCTURE TO DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.95	

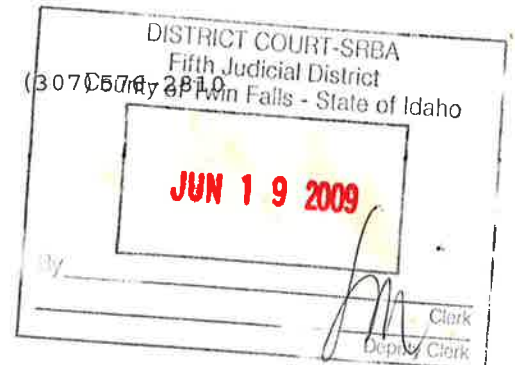
7. Total Quantity Appropriated is:
1.95 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	45E	3	SW NE	IRRIGATION	29
			SE NE	IRRIGATION	6.8
			SW NW	IRRIGATION	3.6
			SE NW	IRRIGATION	31
			NE SW	IRRIGATION	11
			NW SW	IRRIGATION	13
			NW SE	IRRIGATION	3



Section Acres 97.4

Total Acres 97.4

11. Place of use in counties: TETON

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

13. Other Water Rights Used: 22-13748, 22-13749, 22-13750

14. Remarks:

LATE CLAIM AWAITING ACCEPTANCE BY SRBA COURT.

15. Basis of Claim: Beneficial Use

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 Trustee of
Beard family trust Title
Organization that I have signed the foregoing

document in the space below as Trustee of

Beard family trust Title
Organization and that the statements contained in the
foregoing document are true and correct

James W Beard
Signature of Authorized Agent

Beard family trust
Title and Organization

6/18/09
Date

State of Idaho

County of Teton } SS.

Subscribed and sworn (or affirmed) before me this 18th

of June 2009

Suzanne Lopez
Notary Public

Residing at _____

Residing in Teton County

My commission Expires _____

Commission Expires on 06/30/2014



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

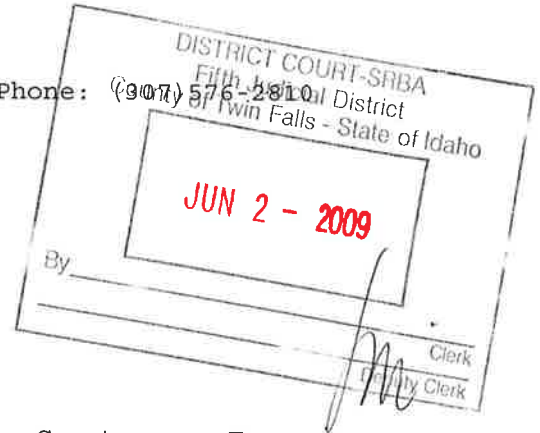
Ident. Number 22-13937
Date Received: 5/29/2009
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES WILLIAM BEARD AND LEONA BEARD TRUST
RT 1 BOX 1790
TETONIA ID USA 83452

Phone: (907) 576-2810



2. Date of Priority: 07/01/1922

3. Source: UNNAMED STREAM Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
04N	45E	3	NE	SE	NW	TETON		
04N	45E	3	NE	NE	NE 1	TETON		

5. Description of diverting works:

HEADGATE TO DITCH AND CHECK STRUCTURE TO DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot		Use	Acres
04N	45E	3	SW	NE	IRRIGATION	29
			SE	NE	IRRIGATION	6.8
			SW	NW	IRRIGATION	3.6
			SE	NW	IRRIGATION	31
			NE	SW	IRRIGATION	11

NW	SW	IRRIGATION	13
NW	SE	IRRIGATION	3
		Section Acres	97.4
		Total Acres	97.4

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

LATE CLAIM AWAITING ACCEPTANCE BY SRBA COURT.

15. Basis of Claim: Beneficial Use

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.

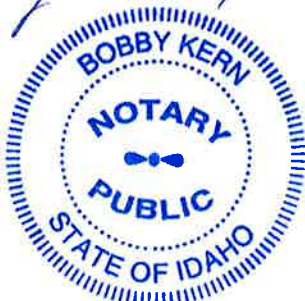
Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am trustee of
Beard Family Trust Title
Beard Family Trust Organization, that I have signed the foregoing
document in the space below as trustee of
Beard Family Trust Title
James W Beard and that the statements contained in the
Beard Family Trust Organization foregoing document are true and correct.
James W Beard Signature of Authorized Agent
trustee Beard Family Trust Title and Organization
5/29/09 Date

State of Idaho)
County of Bonanza) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of May 2009 Bobby Kern



Notary Public
Residing at Idaho Falls
My commission Expires 9-12-2014

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on September 17, 2009, with sufficient first-class postage to the following:

JAMES WILLIAM BEARD AND LEONA
BEARD TRUST
RT 1 BOX 1790
TETONIA, ID 83452
Phone: 307-576-2810

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RECEIVED
SEP 18 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 17 2009

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

Clerk
Deputy Clerk

In Re SRBA

Subcase: 22-13937

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On June 2, 2009, the James William Beard and Leona Beard Trust filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on September 15, 2009. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated September 17, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

RECEIVED

JUN 22 2009

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

DEPARTMENT OF
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

Ident. Number 22-13937
Date Received: 5/29/2009
Receipt No:
Received By: MWH

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

1. Name of Claimant(s)

JAMES WILLIAM BEARD AND LEONA BEARD TRUST Phone: (307) 576-2810
RT 1 BOX 1790
TETONIA ID USA 83452

2. Date of Priority: 07/01/1922

3. Source: UNNAMED STREAM Trib. to: TETON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	45E	3	NE SE NW	TETON	
04N	45E	3	NE NE NE 1	TETON	

5. Description of diverting works:

HEADGATE TO DITCH AND CHECK STRUCTURE TO DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1.95	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	45E	3	SW NE	IRRIGATION	29
			SE NE	IRRIGATION	6.8
			SW NW	IRRIGATION	3.6
			SE NW	IRRIGATION	31
			NE SW	IRRIGATION	11
			NW SW	IRRIGATION	13
			NW SE	IRRIGATION	3

SCANNED

JUN 22 2009

RECEIVED

JUN 22 2009

Section Acres
Total Acres

97.4
97.4
DEPARTMENT OF
WATER RESOURCES

11. Place of use in counties: TETON
12. Do you own the property listed above as place of use? Yes
13. Other Water Rights Used: 22-13748, 22-13749, 22-13750
14. Remarks:

LATE CLAIM AWAITING ACCEPTANCE BY SRBA COURT.

15. Basis of Claim: Beneficial Use

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 trustee of
Title
Beard family trust that I have signed the foregoing
Organization
document in the space below as trustee of
Title
Beard family trust and that the statements contained in the
Organization
foregoing document are true and correct
Signature of Authorized Agent
James W Beard
Beard family trust
Title and Organization
6/18/09
Date

State of Idaho } SS.

County of Teton

Subscribed and sworn (or affirmed) before me this 18th

of June 2009

Suzanne Lopez
Notary Public

Residing at _____
My commission Expires _____
Residing in Teton County
Commission Expires on 06/30/2014



Amended Late Claim 22-13937

06/02/2009

SCANNED

JUN 22 2009

RECEIVED
JUN 22 2009
DEPARTMENT OF
WATER RESOURCES

Hi James + Clayton.

Here is the amended claim
I prepared. Please send this
claim to the SRBA court with
a cover letter explaining
that the wrong quantity
appeared on the original claim
that was recently submitted.

Sorry about the mix-up.
Please call me at 525-7161 if
you have questions.

Michael J. Hickey

SCANNED
JUN 22 2009

RECEIVED

JUN 22 2009

DEPARTMENT OF
WATER RESOURCES

James William Beard
James William Beard and Leona Beard Trust
Rt 1 Box 1790
Tetonia ID 83452

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

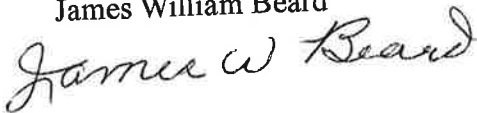
June 18, 2009

To Whom It May Concern:

Enclosed is an amended claim. The wrong quantity appeared on the original claim that was recently submitted. Sorry about the mix-up. If you have any questions, please call Michael Holliday in the State of Idaho Department of Water Resources, Eastern Regional office. His address is 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718. Mr. Holliday's number is (208) 525-7161.

Thank you for your consideration in this matter.

James William Beard



Enclosure: Mended Notice of Claim to a Water Right

Copies sent to:

IDWR Document Depository

Chief, Natural Resources Division
Office of the Attorney General

United States Department of Justice
Environment and Natural Resource Division

SCANNED

JUN 22 2009