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 22-2131**

Date Received:
Receipt Nos:
Received By:

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

Name of Claimant

DONALD STAKER
PO BOX 111
NEWDALE, ID 83436
(208)458-4387
MELVIN SCHWENDIMAN
PO BOX 74
NEWDALE, ID 83436
(208)458-4376

Priority Date: 06/01/1900
Basis: Decreed/License
Status: Active

Source	**Tributary**
Ground Water Teton River	Snake River

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.58 CFS	451.5 AFA

Total Diversion 2.58 CFS

Location of Point(s) of Diversion:

GROUND WATER SESESW Sec. 35 Township 07N Range 41E FREMONT County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

Township	Range	Sect	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	41E	34		SENE	.01									
				NESE	25		SESE	5.1						
		35		NESW	39		NWSW	39		SWSW	38		SESW	38

Total Acres: 184.2

Remarks: This water right includes the right to divert water which is recovered ground water resulting from recharge for irrigation and/or water resulting from irrigation under the Canyon Creek Canal Co. irrigation works for use on lands within said irrigation entity's authorized place of use. Diversion of this right for the purpose of irrigation is authorized for a maximum acreage equivalent to the authorized place of use for this right. This right includes an accomplished change in place of use pursuant to Section 42-1425, Idaho Code.§ I.C. 42-1425 and/or I.C. 42-228. This right includes an accomplished change in point of diversion pursuant to Sections 42-1425 and/or 42-228, Idaho Code. In the event recharge or recovered water is not available, the priority date shall revert to the previously licensed priority date.

1. C18 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.
2. E55 Right Nos. 22-2131 and 22-11070 are limited to the irrigation of a combined total of 184.2 acres in a single irrigation season.
3. K06 This right is limited to the irrigation of 130 acres within the place of use described above in a single irrigation season.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. K01 Right No. 22-11070 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
6. E60 Right Nos. 22-2131 and 22-11070 are limited to a total combined diversion rate of 2.6 cfs and to a total combined annual diversion volume of 455 AF.

Describe any other water rights used at the same place and for the same purposes as describe above: Those water rights recommended as of the date of this amended claim.

Basis of Claim: Decreed/License

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Previously submitted and on file with IDWR

For Individuals/Organizations:

I do solemnly swear or affirm under penalty of perjury that I am the attorney for the above individual or organization, that I have signed the foregoing document in the space below as attorney for the individual or organization and that the statements contained in the forgoing document are true and correct.

DATED this 17th day of August, 2010.

Jerry R. Rigby, Attorney for Claimant

STATE OF IDAHO,)
ss.
County of Madison.)

On this 17th day of August, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Rigby, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

MANDY DAVIS NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011