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AUG 26 2024

DEPARTMENT OF
WATER RESOURCES

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

In Re PRBA

Case No. 59576

) Subcase 87-4181

) (Insert water right number)

) 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 PRBA 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 *PRBA Administrative Order 1*, Rules of Procedure.

My name is Roland and Tammy Thomason

My address is PO Box 415, Genesee, ID 83832

My phone number is: work 208-285-1661 Home _____

☒ I am an attorney representing Roland and Tammy Thomason

My name is Chris M. Bromley

My address is McHugh Bromley, PLLC

380 S. 4th St., Ste. 103

Boise, ID 83702

My phone number is 208-287-0991

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

I recently provided photographs of the claimed source to my attorney and it is believed
that the hand dug well, which was the original water source for the house, should have
been claimed as ground water.

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

The photographs are included with the amended claim and have also been
emailed to IDWR and counsel for the objectors and respondent in better
resolution.

I have attached:

☒ A fully completed amended Notice of Claim (available from IDWR).

☐ Any additional claim filing fee required pursuant to I.C. §42-1414(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 \$ n/a.

No fee is required for change of source per Craig Saxton.

(Signature of person filing motion)



(Attorney signing in representative capacity)

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 below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on August 20, 2024, I mailed the original and copies of this motion, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Palouse 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



Signature of Movant or attorney
mailing on Movant's behalf

ADDITIONAL SERVICE CONTACTS:

Katherine M. Kane
United States Dept. of Justice
ENRD Indian Resources Section
999 18th St., Ste. 370, South Terrace
Denver, CO 80202

Michael A. Lopez
Nez Perce Tribe
Office of Legal Counsel
PO Box 305
Lapwai, ID 83540

Thomas Murphy
Native American Rights Fund
250 Arapahoe Ave.
Boulder, CO 80302