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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

) Subcases 36-15972 & 36-15973
)

Case No. 39576

) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)

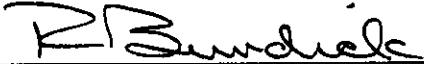
On January 28, 2002, Claimants Roger and Susan Nutsch filed a *Motion to File Late Notice of Claim* in the above subcases. A hearing was held on the *Motion* April 16, 2002. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this Late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water rights 36-15972 and 36-15973 is **granted**.

The original Notice of Claim, as well as any filing fees submitted, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated 4-17-02



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

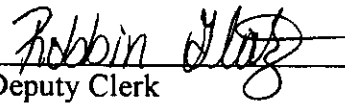
I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** was mailed on 4/17/02, with sufficient first-class postage to the following:

Roger & Susan Nutsch
363 N 300 W
Jerome, ID 83338

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 Attorney General
PO Box 44449
Boise, ID 83711-4449


Deputy Clerk

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

Identification No. 36-15972

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

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DEC 20 2001

Department of Water Resources
Southern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Roger or Susan Nutsch Phone (208) 324-3129

Mailing Address 363 N 300 W Jerome Id Zip 83338

2. Date of Priority (Only one per claim) 31 Dec 1979 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 7 S. Range 16 E

Section 33, SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.,

County of Jerome

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Pipeline to house plus pipeline to water tanks
for stockwater

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

		Month/Day		Month/Day	(cfs)
For	<u>Domestic</u>	purposes from	<u>1-1</u>	to	<u>12-31</u>
					amount <u>0.02</u>
			(Both dates are inclusive)		
For	<u>Stockwater</u>	purposes from	<u>1-1</u>	to	<u>12-31</u>
					amount <u>.07</u>

7. Total quantity claimed .07 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 Home 300 young Stock

10. Place of use is: Township: 7 S Range 16 E
Section 33, SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,
County of Jerome for (Circle One) **Domestic** **Stock** **Domestic and Stock**
Additional places of use, if any Stockwater 7S, 16E, 33, SE NE

11. In which county (ies) are lands listed above as place of use located? Jerome

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Roger Nutsch Date 12-20-01

Susan Nutsch Date 12-20-01

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title _____, that I have signed the foregoing

of _____ Organization _____ document in the space below as _____ of _____

_____ Title _____ Organization _____ and that the statements contained in the foregoing document are true and correct.

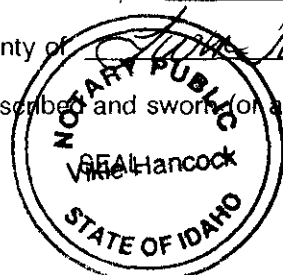
Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Jerome) SS.

Subscribed and sworn (or affirmed) before me this 20th day of December 2001



Notary Public Vicki Hancock

Residing at Butte, Idaho

My Commission Expires 5-7-2003

Last Name Nutsch Ident No. 36-15972

Copies: White-State, Yellow-Claimant

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

Identification No. 36 15973

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.**

RECEIVED
DEC 20 2001
Department of Water Resources
Southern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Roger or Susan Nutsch Phone (208) 324-3129

Mailing Address 363 N 300 W Jerome ID Zip 83338

2. Date of Priority (Only one per claim) _____ Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township #7S Range 16E

Section 33, NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.,

County of Jerome

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. pipeline to house plus pipeline to stock water

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)

For Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 (cfs)
(Both dates are inclusive)

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 Home 2 stockbanks 5 horse 6 calves

10. Place of use is: Township: 7S Range 16E
Section 33 SE 1/4 of NE 1/4, Govt. Lot _____, B.M.,

County of Jerome for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any NONE

11. In which county (ies) are lands listed above as place of use located? Jerome

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Roger Nutsch Date 12-20-01

Susan Nutsch Date 12-20-01

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of San Juan) SS.

Subscribed and sworn (or affirmed) before me this 20th day of December 2000



Notary Public Vikie Hancock

Residing at Butte, Idaho

My Commission Expires 5-7-2003

Last Name Nutsch Ident No. 36-15973

Copies: White-State, Yellow-Claimant

UR FARMS
ROGER OR SUSAN NUTSCH
OR JOHN R. OR CARRIE L. NUTSCH
363 North 300 West 324-3129
Jerome, ID 83338

8137

92-250/1241

1-18-02 DATE

PAY TO THE
ORDER OF

State of Idaho Dept. of Water Resources \$ 5000

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FOR

Water Filing

Susan Nutsch

MP

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