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MAY 30 2003  
Department of Water Resources

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED SB  
2003 MAY 28 AM 10 01

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 41-10279              |
|                | ) |                               |
| Case No. 39576 | ) | ORDER GRANTING MOTION TO FILE |
| _____          | ) | LATE NOTICE OF CLAIM          |

On February 4, 2003, Claimant(s) Garrin Bott filed a *Motion to File Late Notice of Claim*. Hearing was held on the *Motion* May 20, 2003. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to the late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* to water right 41-10279 is **granted**.

The original Notices 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.

IT IS SO ORDERED.

Dated May 28, 2003.

  
\_\_\_\_\_  
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 May 28, 2003, with sufficient first-class postage to the following:

Garrin Bott  
340 E. Center  
Rockland, Idaho 83271

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

  
Deputy Clerk

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

2003 FEB 4 PM 2 22

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

ORIGINAL

Ident. Number 41-10279  
Date Received: 2/4/2003  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
MAY 30 2003

1. Name of Claimant(s)

GARRIN BOTT  
PO BOX 270  
ROCKLAND ID USA 83271

Phone: (208) 548-2688

Department of Water Resources

DEBORAH BOTT  
PO BOX 270  
ROCKLAND ID USA 83271

Phone: (208) 548-2688

2. Date of Priority: 06/01/1886

3. Source: EAST FORK CREEK

Trib. to: ROCK CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 10S      | 31E   | 5       | NE SW SE              | POWER  |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 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 |
|---------------|-------|---------|----------------|------------|-------|
| 10S           | 31E   | 7       | NE NE          | IRRIGATION | 1     |
| Section Acres |       |         |                |            | 1     |
| Total Acres   |       |         |                |            | 1     |

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

This is a late claim pending acceptance by the SRBA court.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 41-33.

15. Basis of Claim: Decreed

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: 1 - Map

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Marvin Post* Date: 2-4-03

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 4th.  
of February 2003

*Jeanie Robertson*  
Notary Public

Residing at Twin Falls, ID.

My commission Expires 9-23-06



