

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

My name is Flying Triangle, Inc.

My address is P.O. Box 180
Hagerman, ID 83332

My phone number is: Work 208-837-4926 Home 208-837-4926

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:

Wasn't aware of BLM filings
Pursuant to stockwater stipulation with United
States (Western Stockgrowers Assoc. et. al.)

☐ 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 attached notice of claim and attached
copy of stipulation with the United States.
Exhibit refers to late claims for Notch Butte Allotment.

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 \$ 25.00.
- ☐ 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 \$ _____.

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 March 18, 2003 1:30 p.m.
(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:

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

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Ada

W.N. Brailsford, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

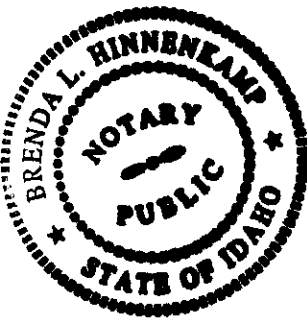
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Flying Triangle, Inc.
W.N. Brailsford

Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on December 16, 2002.
(Insert Date)



Brenda L. Hinnenkamp
Notary Public for Idaho
Residing at: Bowen, Idaho
My Commission expires: 9/11/2004

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 December 16, ²⁰⁰²~~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)

Brenda L. Hunkamp

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:

Ident. Number

Date Received

Receipt Number

39576

51-12982

J.E. 12-20-03

COPY

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 14 2003

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Flying Triangle Inc. Phone (208) 837-4926Mailing Address P.O. Box 180 Hagerman ID Zip 833322. Date of Priority (Only one (1) per claim) 12/31/593. Source of water supply (a) ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 9S Range 12E Section 29,
SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____Additional points of diversion if any: storage tank T 9S R 12E Section 30 SW 1/4 of NW 1/4 of SE 1/4

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

Deep well (700' approx) with pump lifting 32 gal/min via a 3" PVC line
buried three feet deep up to a storage tank which holds 42,000 gallons
of water.
Water is dispersed from the storage tank (at approx 4080') through
a PVC pipeline by gravity flow to 12 stock water tanks

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Stock Water purposes from 1-1 to 12-31 amount 0.07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use: 12 water troughs

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	11E	12	-	Pickle Bottle	-	SW 1/4 - NW 1/4 - NE 1/4													
9S	11E	11	-	Short Water	-	SE 1/4 - NE 1/4 - SW 1/4													
9S	11E	3	-	Saylor Creek	-	NW 1/4 - NW 1/4 - NW 1/4													
8S	11E	35	-	Johnny Jones	-	SE 1/4 - NW 1/4 - NE 1/4													
9S	11E	25	-	Wild Horse	-	SE 1/4 - NW 1/4 - NW 1/4													
9S	11E	23	-	Wash Tub	-	SW 1/4 - SE 1/4 - NW 1/4													
9S	11E	9	-	School Sect	-	SW 1/4 - NE 1/4 - SE 1/4													

9S 11E 8 Trapper Cabin - NE 1/4 SE 1/4 - NW 1/4
Total number of acres irrigated _____

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

12. Do you own the ^{allotment} property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

BLM agreement via Western Stock Growers

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

or None ()

14. Remarks: 0.07 = capacity of well when it is pumping

Last Name FLYING TRIANGLE Ident No. 51-12982

Copies: White - State, Yellow - Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For stock water purposes from 1-1 to 12-31 amount 0.07 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use: water troughs - com't

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	11E	33	-	Big Hill #1			- NE 1/4 - NE 1/4 - SW 1/4												
9S	11E	29	-	Big Hill #2			- SE 1/4 - NW 1/4 - SE 1/4												
9S	11E	19	-	Big Hill #3			- NW 1/4 - SE 1/4 - SW 1/4												
9S	10E	24	-	Big Hill #4			- NW 1/4 - NE 1/4 - NE 1/4												

Total number of acres irrigated _____

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

12. Do you own the ^{allotment} property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

BLM agreement via Western Stock Growers

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

or None ()

14. Remarks:

Last Name Flying Triangle Ident No. 51-12982

Copies: White - State, Yellow - Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

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

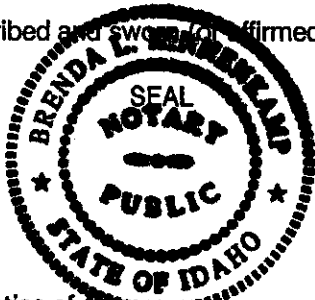
of Flying Triangle, Inc. Organization _____ that I have signed the foregoing
document in the space below as Secretary Title _____ of Flying Triangle, Inc. Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent W. N. Brailsford

Title and Organization Secretary of Flying Triangle, Inc. Date 12/9/02

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn to (or affirmed) before me this 16 day of December 19 2002



Notary Public Brenda L. Hennenkamp

Residing at Bosse, Idaho

My Commission Expires 9/11/2004

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Flying Triangle Ident. Number 51-12782

Copies White-State, Yellow-Claimant