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JUL 17 2002

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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

)

) Subcase(s): 65-22670

Case No. 39576

)

) ORDER GRANTING MOTION TO FILE

) LATE NOTICE OF CLAIM

On April 10, 2002, Claimant Cabarton Land Co., LTD filed a *Motion to File Late Notice of Claim*. A hearing was held on the *Motion* July 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 right 65-22670 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 July 16, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM

CERTIFICATE OF MAILING

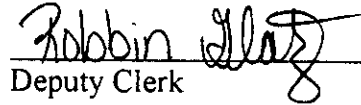
I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** was mailed on July 16, 2002, with sufficient first-class postage to the following:

Cabarton Land CO
PO Box 428
Cascade, ID 83611

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

ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM

Idaho Department of Water Resources Receipt

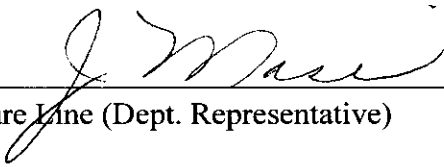
Receipt ID C063378

Payment Amount	\$25.00	Date Received	7/17/2002 9:19:36 AM	Region	State	Status
Payment Type	Check	Check Number	768			

Payer	CABARTON LAND COMPANY LTD
Comment	WATER RIGHT 65-22670 CLAIM TO WATER RIGHT

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	ADJUDICATION FILING FEE	0337	41503	1155	


Signature Line (Dept. Representative)

RECEIVED

JUL 17 2002

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS Department of Water ResourcesIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 65-22620Date Received 7-17-02Receipt Number 0063378

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) CABARTON LAND CO. LTD. Phone (208) 382-3449
Mailing Address PO BOX 428, CASCADE ID Zip 83611
2. Date of Priority (Only one per claim) 1-1-1918 Month/Day/Year
3. Source of water supply (Check one) () Groundwater or Other () (a) SPRING
Name or kind of source
which is tributary to (b) N.F.K. PAYETTE RIVER & UNN. STREAM, TRIB. N.F.K. PAYETTE RIVER.
4. Location of point of diversion is: Township 13N Range 4E
Section 031 NE 1/4 of 5W 1/4 of _____ 1/4, Govt. Lot 9 BM.
County of VALLEY
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. INSTREAM STOCKWATERING FROM SPRING & UNNAMED STREAM FROM SPRING.
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See instructions.)
For STOCKWATER purposes from 1-1 Month/Day to 12-31 Month/Day amount .20 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed .20 (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) STOCKWATER, 400 COW-CALF PAIR

10. Place of use is: Township: 13N Range 4E
Section 031, NE 1/4 of SW 1/4, Govt. Lot 9, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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.
X None or _____

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) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am General Partner
of Cabarton Land Co. Ltd. Title _____, that I have signed the foregoing
document in the space below as General Partner of Cabarton Land Co. Ltd.
Title _____ Organization _____

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

Signature of Authorized Agent H. D. MacGregor Date 4.4.02
Title and Organization General Partner, Cabarton Land Co. Ltd.

State of Idaho/or _____)

County of ADA)

SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 4th day of April 19 2002

Notary Public [Signature]

Residing at Meridian, ID

My Commission Expires 9-14-2006

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

