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Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2003 FEB 27 PM 3 58

**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

Case No. 39576

)
) Subcase(s): 57-04006
)
) **ORDER GRANTING MOTION TO FILE**
) **LATE NOTICE OF CLAIM**

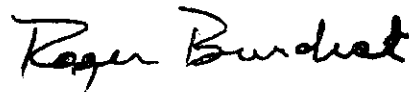
On 11-21-2002, Bruce Reuck filed a *Motion to File Late Notice of Claim*. A hearing was held on the *Motion* February 18, 2003. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this Late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right 57-04006 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 February 27, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM

CERTIFICATE OF MAILING

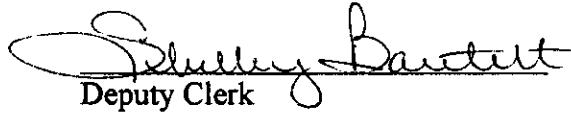
I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** was mailed on February 27, 2003, with sufficient first-class postage to the following:

Bruce Reuck
Rt 1 Box 1220
Homedale, Idaho 83628

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

AUG 12 1998

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

CIVIL CASE NUMBER: 39576

RECEIVED

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Department of Water Resources

Ident. Number: A57-04006

Date Received: 7/22/1998

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERNEST D NATION 208-454-1764
Address: 605 PEARL RD
CALDWELL ID 83605

OR

Name: BETTY BINSACCA
Address: 37380 FOOTHILL RD
SOLEDAD CA 93960

2. Date of Priority: JUN 1, 1885

3. Source: SUCCOR CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	06W	14	NE	SW		R	OWYHEE
			NW	SE		R	OWYHEE

5. Description of diverting works:
DITCH TO RESERVOIR THEN TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	2.000		
IRRIGATION STORAGE	03/15	10/15			11.00
IRRIGATION FROM STORAGE	03/15	10/15			11.00
DIVERSION TO STORAGE	03/15	10/15	4.000		

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) 11.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	06W	14	SW	NE		IRR	30.0
			SW	NW	2	IRR	7.0
			SE	NW		IRR	23.0
			NE	SW		IRR	18.0
			NW	SW	3	IRR	5.0
			NW	SE		IRR	7.0

Section Acres 90.0

Total Acres 90.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
57-07046 AND GEM IRRIGATION DISTRICT

14. Remarks:
ACTUAL POINT OF DIVERSION IS IN T23S, R46E, S11, NENW, W.M.
MALHEUR CO. OR.

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Ernest D. Nelson Date: 7-22-98

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22nd day

of July 19 98

Cathy Fritschle
Notary Public

Seal

Residing at Kuna ID

My Commission Expires 3-21-2000

IDAHO DEPT OF WATER RESOURCES

T03N, R06W, S14

CLAIM(S): 57-04006

Owner(s): NATION &
BINSACCA

Prepared by: KAY WALKER

Date: March 16, 1999

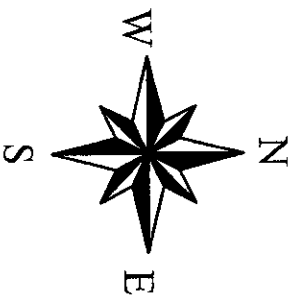


Place of Use



Section Lines

1/4 1/4's



*deleted
7/13/99
KW*



1987 NAPP PHOTO

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

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) **ORDER GRANTING MOTION TO FILE**
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THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right 57-04006 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 February 27, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

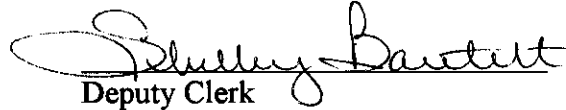
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Deputy Clerk

Idaho Department of Water Resources Receipt

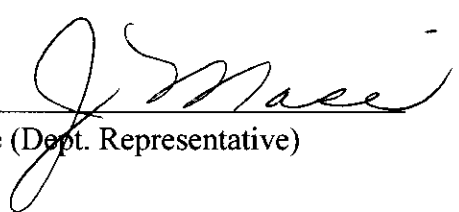
Receipt ID C067763

Payment Amount Date Received Region Status
Payment Type Check Number

Payer
Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE	0337	41503	1155	


Signature Line (Dept. Representative)