

RECEIVED

MAR 14 2003

Department of Water Resources

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

2003 MAR 12 PM 2 24

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): 41-10276 & 41-10277
)
) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM

On 12-17-2002, Udy Brothers Partnership filed a *Motion to File Late Notice of Claim*. A hearing was held on the *Motion* March 11, 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 41-10276 & 41-10277 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 March 12, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM

MAR 14 2003

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

CIVIL CASE NUMBER: 39576

Ident. Number:

Date Received: 3-14-03Receipt No.: 067978Received By: J. Mass

LATE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Udy Brothers Partnership Phone: (208) 548-2636
Address: 455 Pierce
American Falls, ID 83211
2. Date of Priority: April 1, 1909
3. Source: Rock Creek Trib. to: Rock Creek
South Fork flood water
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	30E	1		SE	SE		Power

Additional points of diversion if any:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diversion works:
Pump in creek, sprinklers
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.
Irrigation	4/1	10/31	.61		
7. Total quantity claimed is:
.61 C.F.S. (and/or) (Acre Feet)
8. Total consumptive use claimed is: N/A per IDWR
9. Non-irrigation uses: N/A

10. Description of place of use:

TWP	RNG	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	30E	1																X	6.1
7S	30E	12	X																7.2
10S	31E	7						X											10.9
10S	31E	7										X							7.0

Total number of acres irrigated: 31.2

11. In which county(ies) are lands listed above as place of use located:
Power
12. Do you own the property listed above as place of use? Yes x No
13. Other water rights used at the same place and for the same purposes as described above.
41-00001J
14. Remarks:
This claim combined with all other water rights appurtenant to these lands shall not exceed one-inch per acre per year.
15. Basis of Claim: Beneficial use
Water Right No.:
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: 0

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 _____

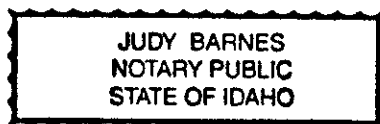
For Organizations: I do solemnly swear or affirm that I am Jason D. Walker of the law firm of Ling & Robinson, that I have signed the foregoing document in the space below as attorney for Udy Brothers Partnership, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent J.D. Walker
Title and Organization: Attorney, Ling & Robinson Date: 12/16/02

State of Idaho)
County of Minidoka) ss.

Subscribed and sworn (or affirmed) before me this 16th day of December, 2002.

[SEAL]



Judy Barnes
Notary Public, State of Idaho
Residing at: Rupert, Idaho
My Commission expires: 02/12/2005

17. Notice of Appearance:

Notice is hereby given that I, Jason D. Walker, will be acting as attorney at law on behalf of the claimant signing the 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 J.D. Walker
Jason D. Walker
LING & ROBINSON
Address P. O. Box 396
Rupert, Idaho 83350-0396
Date December 16, 2002

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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

Ident. Number: 41-10277

Date Received: 3-14-03

Receipt No.: 0067978

Received By: J. M. ...

LATE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Udy Brothers Partnership Phone: (208) 548-2636

Address: 455 Pierce
American Falls, Idaho 83211

2. Date of Priority: April 1, 1909

3. Source: Rock Creek Trib. to: Snake River
South Fork flood water

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	31E	7	NW	NW	SE		Power

Additional points of diversion if any:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
----------	-------	---------	--------	--------	-----	-----	--------

5. Description of diversion works:
Pump in creek, sprinklers

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.
Irrigation	4/1	10/31	1.04		

7. Total quantity claimed is:
1.04 C.F.S. (and/or) (Acre Feet)

8. Total consumptive use claimed is: N/A per IDWR

9. Non-irrigation uses: N/A

10. Description of place of use:

TWP	RNG	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10S	31E	7									X								27
10S	31E	7								X									25

Total number of acres irrigated: 52

11. In which county(ies) are lands listed above as place of use located:
Power
12. Do you own the property listed above as place of use? Yes x No
13. Other water rights used at the same place and for the same purposes as described above.
41-00001J
14. Remarks:
This claim combined with all other water rights appurtenant to these lands shall not exceed one-inch per acre per year.
15. Basis of Claim: Beneficial use
Water Right No.:
16. Signature(s)
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Number of attachments: 0

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 _____

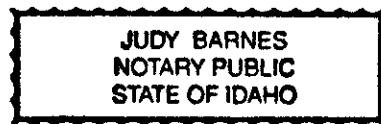
For Organizations: I do solemnly swear or affirm that I am Jason D. Walker of the law firm of Ling & Robinson, that I have signed the foregoing document in the space below as attorney for Udy Brothers Partnership, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Jason D. Walker*
Title and Organization: Attorney, Ling & Robinson Date: 12/16/02

State of Idaho)
County of Minidoka) ss.

Subscribed and sworn (or affirmed) before me this 16th day of December, 2002.

[SEAL]



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Signature *Jason D. Walker*
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