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JAN 26 2005
DEPARTMENT OF
WATER RESOURCES

2005 JAN -5 PM 4:1
DISTRICT COURT - SRB
TWIN FALLS CO., IDAH

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

)
)
) **ORDER GRANTING MOTION TO FILE**
) **LATE NOTICE OF CLAIM**
) **For water rights: 35-13518**
)
)

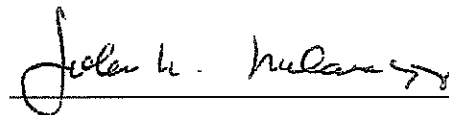
On September 24, 2004, Claimants Brian and Teri Fehringer filed a *Motion to File Late Notice of Claim* for the above water right. On December 21, 2004, a hearing was held on the *Motion*. Teri Fehringer appeared to support the *Motion*.

Following questioning by the Court, the Court has concluded that the Claimants presented proper grounds for the *Motion to File Late Notice of Claim* to be granted.

Therefore, IT IS ORDERED, that the above water right is hereby **allowed** to proceed as a claim.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the I.D.W.R for further action.

Dated: January 5, 2005.



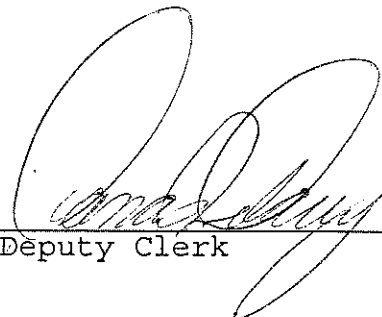
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 January 05, 2005, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BRIAN FEHRINGER
TERI FEHRINGER
3155 W 1500 S
ABERDEEN, ID 83210
Phone: 208-681-0041



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

Identification No. _____

Date Received 1-18-05

Receipt Number CO766322

**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) Brian or Teri Fehringer Phone (208) 397-5258

Mailing Address 3155 W. 1500 S. Aberdeen Zip 83210

2. Date of Priority (Only one per claim) April 1, 1983 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 5 S. Range 30 E.B.M.

Section 23 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of Bingham

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. well + pump to home; 2 stock tanks

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1 to Dec 31 amount 0.04 (cfs)

For Stock purposes from Jan 1 to Dec 31 amount 0.02 (cfs)
(Both dates are inclusive)

7. Total quantity claimed 0.04 (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) 3 household members; 11 head elk

10. Place of use is: Township: 55 Range 30 E.B.M.
Section 23, NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of Bingham 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? Bingham

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.

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 35-13518

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

Number of Attachments 2

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

Signature of Claimant (s) Brian Fehring Date 9-23-04
Debi Fehring Date 9-23-04

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

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Idaho }
County of Bingham } SS.

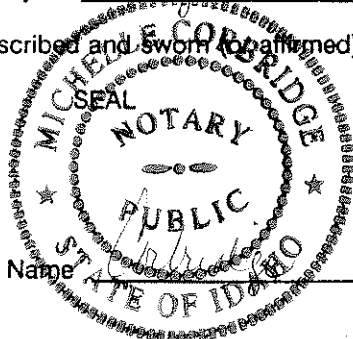
Subscribed and sworn to (affirmed) before me this 23rd day of September 19 2004

Notary Public Michelle Colbridge

Residing at Abideen Idaho

My Commission Expires 08/28/2009

Last Name _____ Ident No. 18144



Idaho Department of Water Resources Receipt

Receipt ID C076322

Payment Amount \$25.00 Date Received 1/6/2005 12:31:05 PM Region State Status
Payment Type Check Check Number 2558

Payer FEHRINGER, BRIAN / TERI

Comment CLAIM TO A WATER RIGHT

Fee Detail

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



Signature Line (Dept. Representative)