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Department of Water Resources

2005 JAN 20 PM 3:47

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

Case No. 39576

)
)
) **ORDER GRANTING MOTION TO FILE**
) **LATE NOTICE OF CLAIM**
) **For water right: 29-13696**
)
)

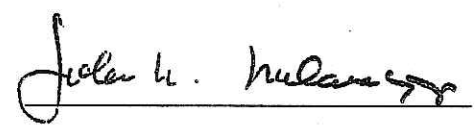
On October 20, 2004, Claimant Duane Williams filed a *Motion to File Late Notice of Claim* for the above water right. On January 18, 2005, a hearing was held on the *Motion*. The Claimant appeared to support the *Motion*.

Following questioning by the Court, the Court has concluded that the Claimant 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 20 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 LANTE NOTICE OF CLAIM was mailed on January 20, 2005, with sufficient first-class postage to the following:

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

DUANE J WILLIAMS
8403 W BUCKSKIN RD
POCATELLO, ID 83201
Phone: 208-232-8410

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 29-13696
Date Received: 8/30/2004
Receipt No: C0710524
Received By: M

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DUANE WILLIAMS Phone: (208)233-7440
8403 W BUCKSKIN RD
POCATELLO ID USA 83201

CHERYL WILLIAMS Phone: (208)233-7440
8403 W BUCKSKIN RD
POCATELLO ID USA 83201

2. Date of Priority: 05/31/1887

3. Source: POCATELLO CREEK SOUTH FORK Trib. to: POCATELLO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	35E	20	SE SW SE	BANNOCK	

5. Description of diverting works: Pump and Sprinkler system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.039	

7. Total Quantity Appropriated is:
0.039 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	35E	20	SW SE	IRRIGATION	1.7
				Section Acres	1.7

06S 35E 29 NW NE IRRIGATION 0.9
Section Acres 0.9
Total Acres 2.6

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

This claim reflects an accomplished change in point of diversion and source. Since prior to 1987, the spring has flowed into South Fork of Pocatello Creek and the co-mingled water is diverted by pump.

Use of this right with Right No. 29-448E is limited to a total combined diversion rate of 0.078 cfs.

USE OF THIS RIGHT WITH RIGHT NO. 29-448E IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.6 ACRES IN A SINGLE IRRIGATION SEASON.

This right is a split from former right 29-449.

15. Basis of Claim: Decreed

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Harold J. Klein* Date: 10-12-04
Cheryl Willis Date: 10.12.04

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 13th of October, 2004



Kathryn C. Larsen

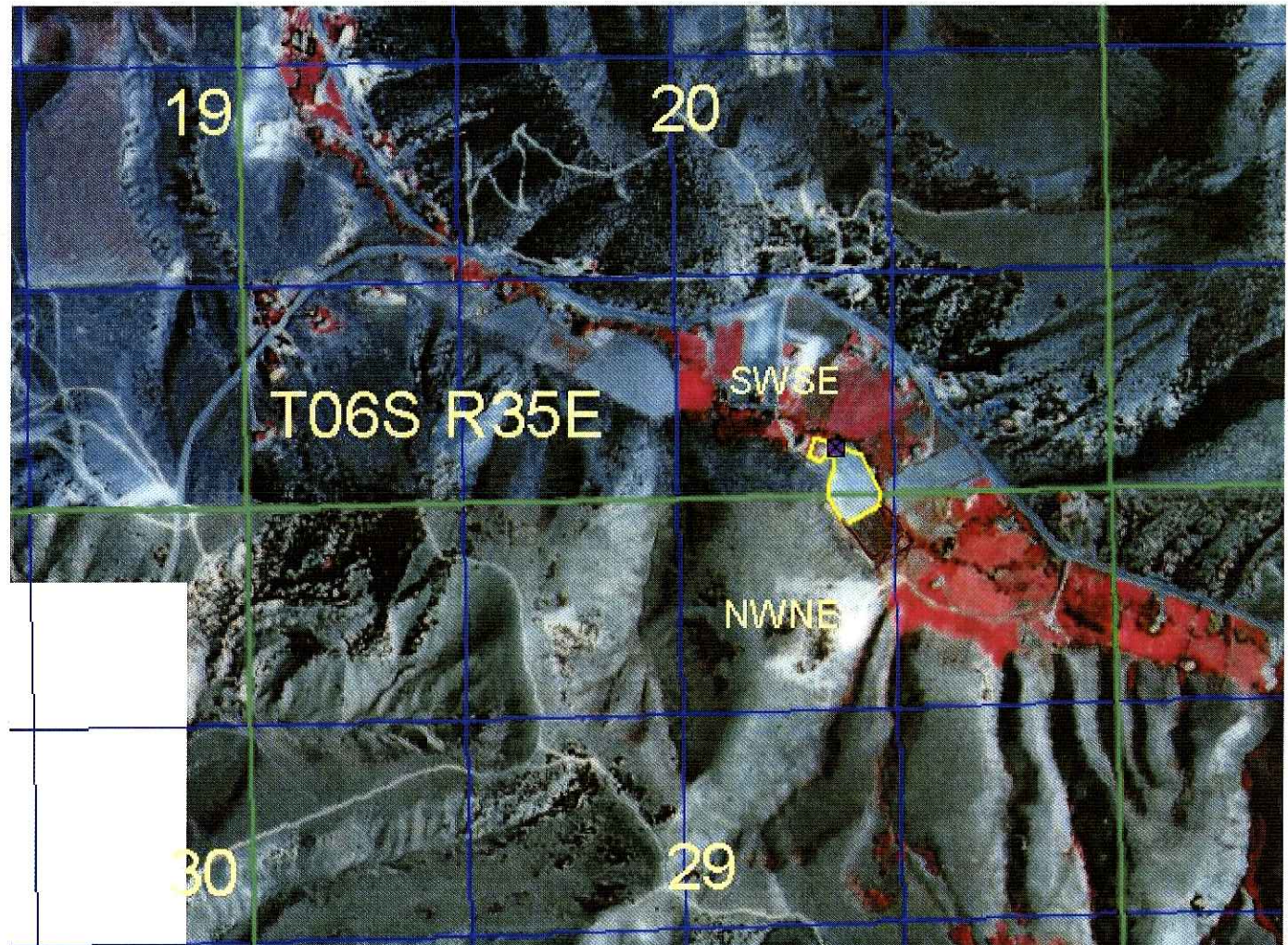
Notary Public

Residing at POCATELLO IDAHO

My commission Expires 12-15-06

DEPARTMENT OF WATER RESOURCES

Claim No.: 29-13696



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: August 2004