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DEPARTMENT OF
WATER RESOURCES

2005 JAN 24 PM 3:29

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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: 72-16652**
)
)

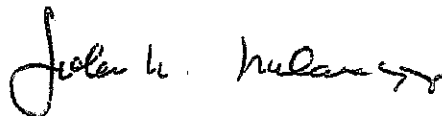
On October 21, 2004, Claimant Shoshone-Bannock Tribes, through counsel, filed a *Motion to File Late Notice of Claim* for the above water right. On January 18, 2005, a hearing was held on the *Motion*. The Claimant's attorney, Jeanette Wolfley, appeared to support the *Motion*. No one appeared to oppose 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 and a copy of this *Order* will be forwarded to the I.D.W.R for further action.

Dated: January 24, 2005.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

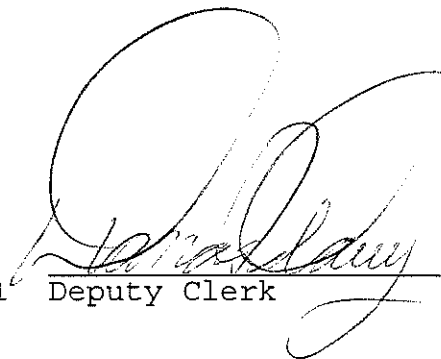
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on January 24, 2005, with sufficient first-class postage to the following:

SHOSHONE BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

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

A large, stylized handwritten signature in black ink, likely belonging to the Deputy Clerk, is written over a horizontal line.

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: 72-16652
Date Received: 10/15/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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OCT 18 2004

Department of Water Resources
Southern Region

1. Name of Claimant(s)

SHOSHONE BANNOCK TRIBES
PO BOX 306
FORT HALL ID USA 83203

Phone:

2. Date of Priority: 05/01/1888

3. Source: SALMON RIVER EAST FORK,
PINE CREEK

Trib. to: SALMON RIVER
SALMON RIVER EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	18E	31	SW SW SW 04	CUSTER	
09N	18E	5	SE SW NW	CUSTER	
09N	18E	5	NE NW SW	CUSTER	

5. Description of diverting works:

IRRIGATION DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.66	
STOCKWATER	03/15	11/15	0.02	

7. Total Quantity Appropriated is:
0.66 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		
09N	18E	5	NW	NW	4	IRRIGATION		
			NW	NW	4	STOCKWATER		
							Section Acres	4.8
09N	18E	6	NE	NE	1	STOCKWATER		
			NE	NW	3	STOCKWATER		
			NE	NE	1	IRRIGATION		
			NE	NW	3	IRRIGATION		
				Section Acres	14.2			
10N	18E	31	SE	SW		IRRIGATION		
			SE	SE		IRRIGATION		
			SE	SW		STOCKWATER		
			SE	SE		STOCKWATER		
				Section Acres	2.8			
				Total Acres	21.8			

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

THIS IS A PORTION OF FORMER RIGHT 72-201 SPLIT BY OWNERSHIP.

15. Basis of Claim: Decreed

16. Signature(s)

For Organizations:

I do solemnly swear or affirm that I am Jeanette Wolfley of
Title
the Shoshone-Bannock Tribes that I have signed the foregoing
Organization

document in the space below as Attorney of
Title
Shoshone-Bannock Tribes and that the statements contained in the
Organization

foregoing document are true and correct.

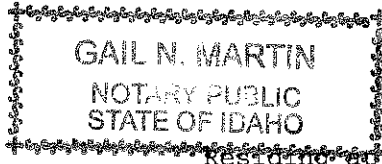
Jeanette Wolfley
Signature of Authorized Agent

Attorney
Title and Organization

10/15/04
Date

State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 15th day of October 2004



[Signature]
Notary Public

Residing at Bingham Co.
My commission Expires 3/22/2005

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Department of Water Resources
Southern Region