

RECEIVED

JAN 25 2005

DEPARTMENT OF
WATER RESOURCES

2005 JAN 24 PM 2:47

DISTRICT COURT-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: 72-16653**
)
)

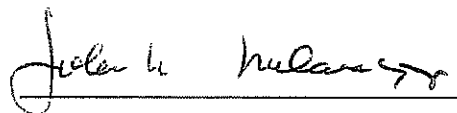
On October 18, 2004, Claimant Shoshone-Bannock Tribes, through counsel, filed a *Motion to File Late Notice of Claim* for the above water right. On January 18, 2005, a hearing was held on the *Motion*. The Claimant's attorney, Jeanette Wolfley, appeared to support the *Motion*. No one appeared to oppose 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

SCANNED
JAN 26 2005

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

SCANNED
JAN 26 2005

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

2004 OCT 18 PM 4:06
CIVIL CASE NUMBER: 39576

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

Ident. Number: 72-16653
Date Received: 10/15/2004
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

SHOSHONE BANNOCK TRIBES Phone:

PO BOX 306
FORT HALL ID USA 83203

RECEIVED
OCT 18 2004

Department of Water Resources
Southern Region

2. Date of Priority: 05/01/1936

3. Source: SALMON RIVER EAST FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	18E	31	SW SW SW 4	CUSTER	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.2	
STOCKWATER	03/15	11/15	0.02	

7. Total Quantity Appropriated is:
0.2 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	3.8
			NW NW 4	STOCKWATER	

Section Acres

3.8
SCANNED
JAN 26 2005

09N	18E	6	NE	NE	1	STOCKWATER	
			NE	NW	3	STOCKWATER	
			NE	NE	1	IRRIGATION	6.2
			NE	NW	3	IRRIGATION	0.1

Section Acres 6.3

10N	18E	31	SE	SW		IRRIGATION	1
			SE	SE		IRRIGATION	1.8
			SE	SW		STOCKWATER	
			SE	SE		STOCKWATER	

Section Acres 2.8

Total Acres 12.9

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:

72-16653 IS A PORTION OF FORMER RIGHT 72-202 SPLIT BY OWNERSHIP.

15. Basis of Claim: Decreed

SCANNED
JAN 26 2005

RECEIVED
OCT 18 2004
Department of Water Resources
Southern Region

16. Signature(s)

For Organizations:

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

document in the space below as Attorney of
Title

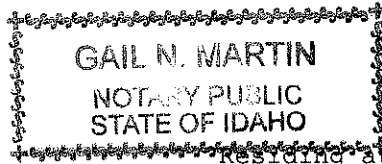
Shoshone-Bannock Tribes and that the statements contained in the
Organization

foregoing document are true and correct.

Jeanette Wolfley
Signature of Authorized Agent
Attorney, Shoshone-Bannock Tribes
Title and Organization
10/15/04
Date

State of Idaho)
County of Burham) SS.

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



[Signature]
Notary Public
Burham Co.

My commission Expires 3/22/05

SCANNED
JAN 26 2005