

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	)	Subcase <u>36-16315</u>
	)	(Insert water right number)
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE:
	)	☒ LATE NOTICE OF CLAIM
	)	☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in ***SRBA Administrative Order 1, Rules of Procedure*** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is George Bohr

My address is 3091 S. 1200 E.
Hesperia, Id. 83332

My phone number is: Work 208 250-5850 Home 208 837 9136

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

I thought my water rights were
taken care when I bought this property

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

letter attached

I have attached:

☒ A fully completed Notice of Claim (available from IDWR).

☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 106.00.

☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 106.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on August 16, 2005
(Insert Date and Time)

at the ~~SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.~~

Madison County Courthouse, 134 E. Main Rexburg, Id

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Gooding

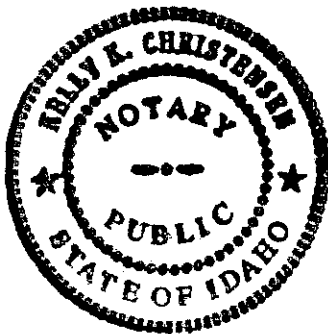
George Bohr, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

GB
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on May 26, 2005.
(Insert Date)



Kelly K Christensen
Notary Public for IDWR
Residing at: Twin Falls, ID
My Commission expires: 4-2-2010

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on May 26, ~~199~~²⁰⁰⁵, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

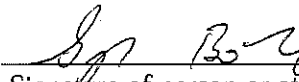
X IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

X Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

X United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

RE Snake River Adjudication (SRBA)
Claim 36-16315 Pending Late Claim

To Whom it may concern

The reason for my late claim is because I thought we had water rights back to 1914 and that it was taken care of. I did not realize we had to go through this adjudication.

My place has had rights to all waste water since 1914 when the water was set up.

I appreciate this being taken care

Thank you
George Bohr
George Bohr

705 MAY 23 AM 10:20
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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 36-16315
Date Received: 5/16/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GEORGE BOHR Phone: (208)837-9136
SUSAN BOHR Phone:
3091 S 1200E
HAGERMAN ID USA 83332

2. Date of Priority: 05/01/1914

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	14E	8	NE NE	GOODING	

5. Description of diverting works:

headgate in waste water channel, cement gate and open ditch to the place of use.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.12	

7. Total Quantity Appropriated is:
0.12 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
08S	14E	5	SE SW	IRRIGATION	6.2
				Section Acres	6.2
				Total Acres	6.2

11. Place of use in counties: GOODING
12. Do you own the property listed above as place of use? Yes
13. Other Water Rights Used:
14. Remarks:

This claim represents a portion of unclaimed right 36-4238.

15. Basis of Claim:

16. Signature(s)

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

Signature of Claimant(s):

Ben B...

Date: 5-16-05

Susan B...

Date: _____

State of Idaho)

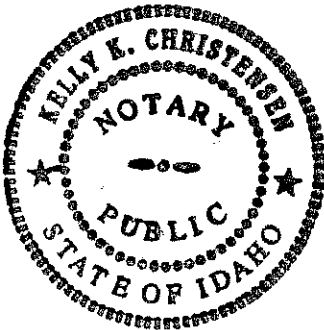
)

) SS.

County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 16th day of May 2005

Kelly K. Christensen
Notary Public



Residing at _____ Twin Falls, ID

My commission Expires 4-2-2010



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 16, 2005

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM 36-16315 PENDING LATE CLAIM

To Whom It May Concern:

The filing fee for this claim is

\$ 50.00	filing fee
50.00	late fee
6.00	variable fee
\$106.00	total due

Sincerely,

A handwritten signature in black ink that reads 'Kelly K. Christensen'. The signature is fluid and cursive, with the first name 'Kelly' and last name 'Christensen' clearly legible.

Kelly K Christensen

Sr Water Resource Agent

E-mail address: kelly.christensen@idwr.idaho.gov