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JUL 22 2005

DEPARTMENT OF  
WATER RESOURCES

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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

) Subcase 36-16314  
)

Case No. 39576  
\_\_\_\_\_ )

) ORDER GRANTING MOTION TO FILE  
) LATE NOTICE OF CLAIM

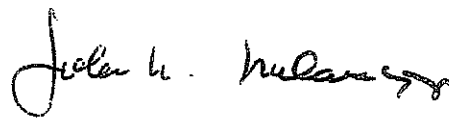
On April 7, 2005, Richard and Toni Walthour filed a *Motion to File Late Notice of Claim*. Hearing was held on the *Motion* July 19, 2005. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* water right 36-16314 is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated July 21, 2005



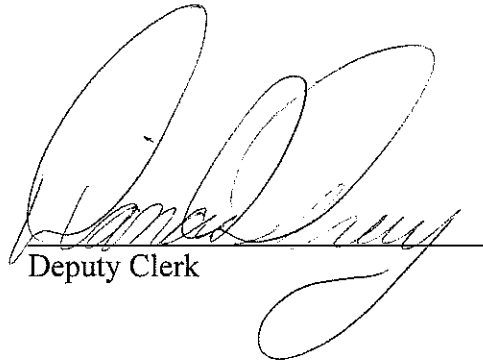
\_\_\_\_\_  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

## 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 July 21, 2005, with sufficient first-class postage to the following:

Richard Walthour  
Toni Walthour  
609 Pioneer Mtn Loop  
Jerome, ID 83338

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



Deputy Clerk

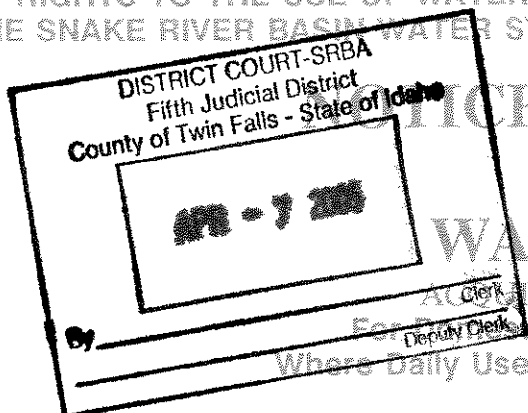
RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

JUL 22 2005

DEPARTMENT OF  
WATER RESOURCESIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 36-16314Date Received 7-12-05Receipt Number 0078650

# 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.

RECEIVED  
APR 04 2005  
Department of Water Resources  
Southern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) RICHARD & TONI WALTHOUR Phone (208) 324-6467Mailing Address 609 PIONEER MTN. LOOP JEROME ID. Zip 833382. Date of Priority (Only one per claim) 4-1-05 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other ☐ (a) WELL

Name or kind of source

which is tributary to (b) \_\_\_\_\_

4. Location of point of diversion is: Township 9S Range 17ESection 16 ~~NE~~ SE 1/4 of SE 1/4 of NE 1/4 of SE 1/4, Govt. Lot 18 Blk 2 BM.County of JEROME

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 - DOMESTIC

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

For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount .03 (cfs)For stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)  
(Both dates are inclusive)7. Total quantity claimed .03 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) ONE HOUSEHOLD, 2 MIXED STOCK

10. Place of use is: Township: 7 Range 17

Section 16 N/E 1/4 of SE 1/4 1/4, Govt. Lot \_\_\_\_\_, B.M.,

for (Circle One) Domestic Stock  
Additional places of use, if any \_\_\_\_\_

Domestic and Stock

11. In which county (ies) are lands listed above as place of use located? JEROME

12. Do you own the property listed above as place of use? Yes ☒ 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.  
( ) None or \_\_\_\_\_

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 \_\_\_\_\_

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

Number of Attachments \_\_\_\_\_

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

Signature of Claimant (s)

Richard L. Walther  
Richard L. Walther  
Joni Walther Joni Walther

Date

4-1-05

Date

4-1-05 4-1-05

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, 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 \_\_\_\_\_

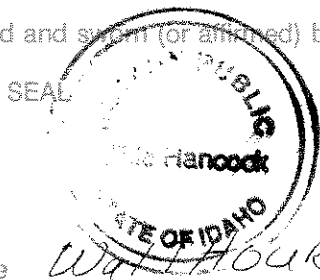
State of Idaho/or \_\_\_\_\_ )

County of Blaine Falls ) SS.

**NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 4th day of April 2005

SEAL



Notary Public

Residing at

My Commission Expires

Last Name

Ident No.

Copies: White-State, Yellow-Claimant