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DEC 22 2005

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 21 2005

By _____

Clerk

Deputy Clerk

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: 45-00487A

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On October 27, 2005, Tugaw Ranch, by and through its counsel, Travis L. Thompson, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on December 20, 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* for water right 45-00487A 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 December 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 December 21, 2005, with sufficient first-class postage to the following:

TUGAW RANCH

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
TWIN FALLS, ID 83301-6167
Phone: 208-733-0700

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", 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 45-487A

Date Received 12-22-05

Receipt Number 0079892

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT 27 2005

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

By _____ Clerk
Deputy Clerk

Please type or print clearly

1. Name of Claimant (s) TUGAW RANCH Phone (208) 734-7511

Mailing Address c/o Joe Tugaw, 3277 Woodridge Dr., Twin Falls, ID Zip 83301

2. Date of Priority (Only one (1) per claim) 3/1/1879

3. Source of water supply (a) Dry Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 12S Range 19E Section 24 ,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

A ditch diverts water from Dry Creek into a holding pond that distributes the
water through a booster pump and gravity system.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 0.56 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.56 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:

a. If water is for Irrigation, Indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

PLACE OF USE:

IRRIGATION Within CASSIA County

T12S R19E S01 Lot 2	NWNE	34.0	T12S R19E S01	SWNE	38.0
T12S R19E S01 Lot 3	NENW	38.0	T12S R19E S01	SENW	38.0
T12S R19E S01	NESW	38.0	T12S R19E S01	SESW	36.0
T12S R19E S01	NWSE	24.0	T12S R19E S01	SWSE	6.5
T12S R19E S12	NWNE	5.2	T12S R19E S12	SWNE	6.1
T12S R19E S12	NENW	36.0	T12S R19E S12	SENW	34.0
T12S R19E S12	NESW	38.0	T12S R19E S12	SESW	31.0

Total number of acres irrigated 402.8

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

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

45-487B; 45-491; 45-492; 45-493; 45-495; 45-496B; 45-2449; 45-2486; or None ()

45-13622

14. Remarks:

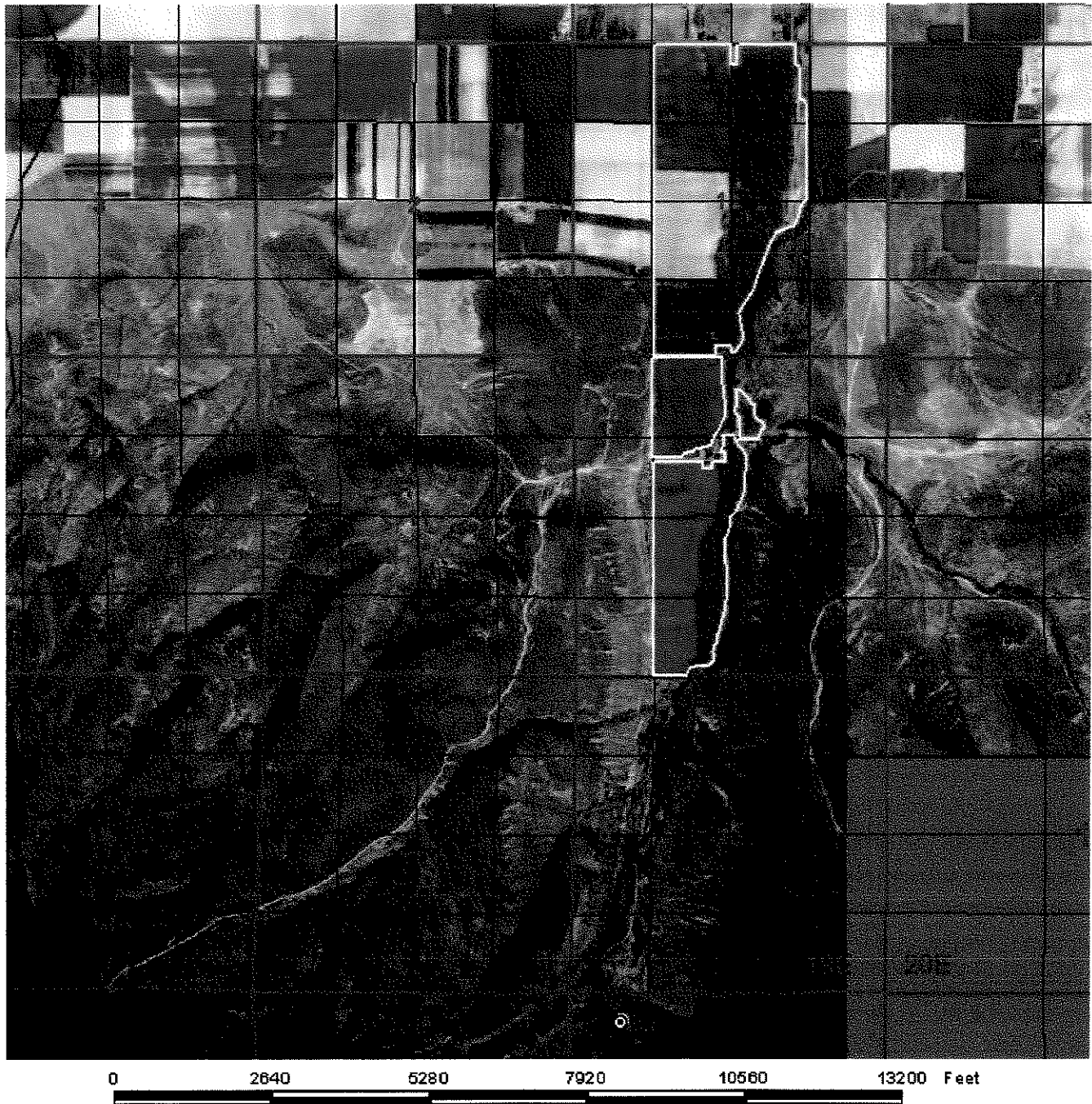
Use of this right with Right No. 45-13622 is limited to the irrigation of a combined total of 102.5 acres in a single irrigation season within the permissible place of use above.

Last Name TUGAW Ident No. 45-487A

Idaho Department of Water Resources

**RIGHTS: 45-487B, 45-491, 45-492,
45-493, 45-496B, 45-13622**

**RECOMMENDED PLACE OF
TWP 12S, RNG 19E,**



© RECOMMENDED POINT OF DIVERSION

http://www.idwr.idaho.gov/apps/ExtSearch/DocsImages/360901_.TIF

10/25/2005

NAME: TUGAW

Ident. No. 45-487A

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 45-487A
Court Twin Falls District Court Case Number 7475 Decree Date Mar. 28, 1942
Plaintiff vs Defendant Stone v. Willhite

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 X
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.

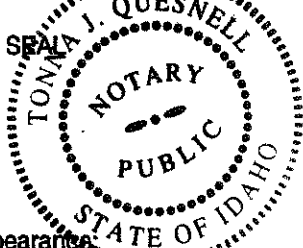
Signature of Claimant (s) Joe Tugaw on behalf of Tugaw Ranch Date _____
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27 day of October 2005



Notary Public Kimberly
Residing at Kimberly, ID
My Commission Expires 9/28/11

Please Print Name

17. Notice of Appearance
Notice is hereby given that I, Travis L. Thompson will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature [Signature]
Address P.O. Box 485 Twin Falls, ID 83303-485
Date 10/27/05

Last Name TUGAW Ident. Number 45-487A