

RECEIVED

FEB 14 2006

DEPARTMENT OF
WATER RESOURCES

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

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

Subcase Nos.: 23-00056C & 23-10212

FEB 10 2006

ORDER GRANTING MOTIONS TO
FILE LATE NOTICE OF CLAIM

By _____

Clerk

Deputy Clerk

On June 13, 2005, the claimant, Richard Harvey, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water right claims. This Court issued an *Order of Reference* to the Special Master to make findings of fact and conclusions of law in accordance with I.R.C.P. 55(c).

A *Special Master's Report and Recommendation Findings of Fact and Conclusion of Law* was issued on December 6, 2005. No objections or challenges were filed.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the *Findings of Fact and Conclusions of Law* contained in the *Special Master's Report* and wholly adopts them as its own.

THEREFORE, IT IS ORDERED, that the *Motions to File Late Notice of Claim* for water rights 23-00056C and 23-10212 are **granted**.

The original Notices 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 February 10, 2006.



JOHN M. MELANSON

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on February
10, 2006, with sufficient first-class postage to the following:

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

RICHARD HARVEY
3725 SWAN VALLEY HWY
IRWIN, ID 83428
Phone: 208-483-2327

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible despite the cursive style.

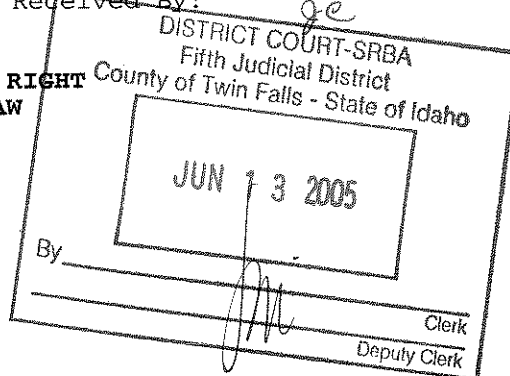
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 23-56C
Date Received: 9/13/1989
Receipt No: E 630617
Received By: ge

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



1. Name of Claimant(s)

RICHARD L HARVEY Phone:
3725 SWAN VALLEY HWY
IRWIN ID USA 83428

2. Date of Priority: 05/01/1892

3. Source: PALISADES CREEK , UNNAMED STREAM Trib. to: SNAKE RIVER , PALISADES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	44E	35	NE NW	BONNEVILLE	
01N	44E	35	NE NW	BONNEVILLE	

5. Description of diverting works:

PIPE SIPHON IN DITCH TO IRRIGATE PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.09	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.09 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
----------	-------	---------	----------------	-----	-------

01N

44E 35

NE NW
NE NW

STOCKWATER
IRRIGATION 3

Section Acres 3

Total Acres 3

11. Place of use in counties: BONNEVILLE

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 DECREED WATER RIGHT 23-00056B.

15. Basis of Claim: Decreed

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Richard Harvey Date: 2-16-05

Date:

State of Idaho)
County of Bonneville) SS.

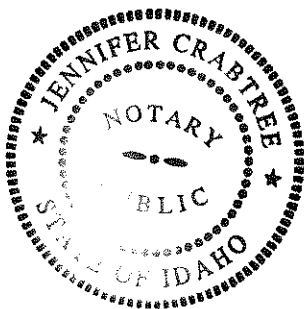
Subscribed and sworn (or affirmed) before me this 16
of Feb 2005

Jennifer Crabtree

Notary Public

Residing at Idaho Falls, Id

My commission Expires 9/23/09



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: A23-10212

Date Received: 9/13/1989

Receipt No: C080330-1 C08331

Received By: MC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 13 2005	
By _____	Clerk
Trib. to: _____	Deputy Clerk

83428

1. Name: RICHARD L. HARVEY
Address: HC 28, BOX 22
IRWIN, ID

2. Date of Priority: JAN 01, 1930

3. Source: GROUNDWATER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	44E	35	NE	NW			BONNEVILLE

5. Description of diverting works:
WELL, PUMP AND PIPELINES FOR DOMESTIC USES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/2 HORSES, D/ONE HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	35	NE	NW		STOCK	
			NE	NW		DOMEST	

A23-10212

Page 1

Date: 09/13/89

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	44E	35	NE	NW		IRR	3.0
Section Acres							3.0
Total Acres							3.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
N/A

14. Remarks:
THIS IS A PORTION OF DECREED WATER RIGHT 23-00056B.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1910

REXBURG IRR. CO. ET AL
Decree Plaintiff

vs

TETON IRRIGATION CANAL CO. ET*
Decree Defendant

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
N/A

14. Remarks:
PRIORITY DATE IS BEST ESTIMATE.

15. Basis of Claim: BENEFICIAL USE

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Richard J. Harvey Date: 9-13-89

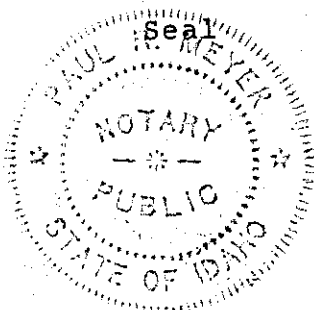
Date: _____

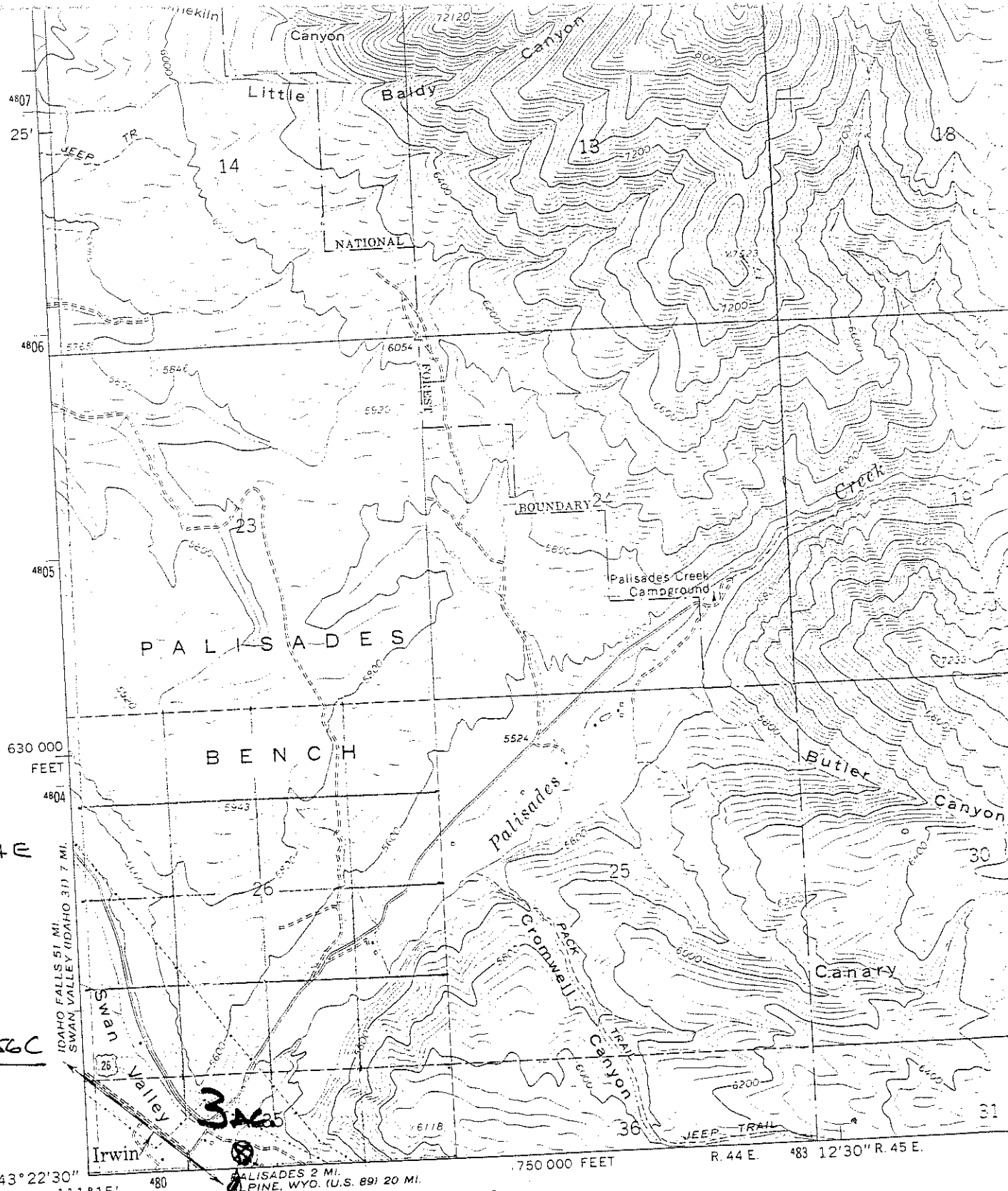
State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of SEP 19 89

[Signature]
Notary Public

Residing at IDAHO FALLS
My Commission Expires 9-12-89

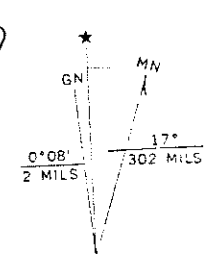




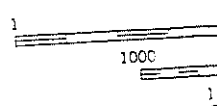
(RED RIDGE)
3770 IV SE

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial
photographs taken 1965. Field checked 1966
Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
east zone
1000-meter Universal Transverse Mercator grid ticks,
zone 12, shown in blue
Fine red dashed lines indicate selected fence lines

Handwritten: P/D & P/O



UTM GRID AND 1966 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



TH
FOR SALE BY U.S.
A FOLDER

Payment Amount: \$103.00 Date Received: 2/15/2006 11:33:44 AM Region: State Status:
Payment Type: Check Check Number: 2626

Payer LA VETA M. HARVEY

Comment	NOTICE OF CLAIM FOR ID#23-56C
---------	-------------------------------

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$103.00	ADJUDICATION FILING FEE	0337		41503	1155

M

Signature Line (Dept. Representative)

Payment Amount	\$25.00	Date Received	2/15/2006 11:35:07 AM	Region	State	Status
Payment Type	Check	Check Number	2627			

Payer	LA VETA M. HARVEY
-------	-------------------

Comment	NOTICE OF CLAIM FOR ID#A23-10212
---------	----------------------------------

Free Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	ADJUDICATION FILING FEE	0337		41503	1155

[illegible]

Signature Line (Dept. Representative)