

RECEIVED

FEB 23 2006
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 22 2006	
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: 72-02151
	)	
Case No. 39576	)	ORDER GRANTING MOTION TO FILE
	)	LATE NOTICE OF CLAIM
_____	)	

On November 11, 2005, Merrill G. Shupe, Verle L. Shupe, James L. Shupe and Owen K. Shupe filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 21, 2006. 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 72-02151 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 February 22, 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 MOTION TO FILE LATE NOTICE OF CLAIM was mailed on February 22, 2006, with sufficient first-class postage to the following:

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

MERRILL G SHUPE
183 N 1100 W
WEST BOUNTIFUL, UT 84087
Phone: 801-292-5715

VERLE L SHUPE
246 E ELBERTA DR
NORTH OGDEN, UT 84414
Phone: 802-782-9772

JAMES L SHUPE
296 2 250 E
HYDE PARK, UT 84318
Phone: 435-563-5553

OWEN K SHUPE
470 E 750 S
LOGAN, UT 84321
Phone: 801-752-3973

A handwritten signature in black ink, reading "Julie Murphy", is written over a horizontal line. The signature is cursive and fluid.

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 72-2151
Date Received: 11/14/2005
Receipt No: CO 80381
Received By: *M*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

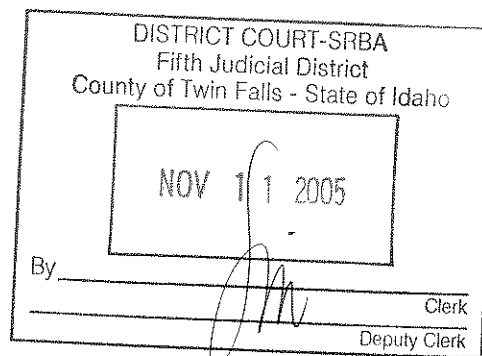
1. Name of Claimant(s)

VERLE L SHUPE Phone: (801)782-9772
246 E ELBERTA DR
NORTH OGDEN UT USA 84414

MERRILL G SHUPE Phone: (801)292-5715
183 N 1100 W
WEST BOUNTIFUL UT USA 84087

OWEN K SHUPE Phone: (435)752-3973
470 E 750 S
LOGAN UT USA 84321

JAMES L SHUPE Phone: (435)563-5553
296 S 250 EAST
HYDE PARK UT USA 84318



2. Date of Priority: 04/20/1965

3. Source: BIG CASINO CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	14E	32	NE NW	CUSTER	

5. Description of diverting works:

Headgate; 4 ft wide; 3 1/2 ft high Ditch at bottom 3 1/4 ft wide, 3 5/8 at water line, depth of water 3 ft.

The same headgate and ditch has remained the same since 1957. Annual repair and ditch maintenance has been done yearly from 1957 to 2005.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.5	225

7. Total Quantity Appropriated is:

1.5 C.F.S. and/or 225 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	14E	20	SW	SW	IRRIGATION	29
					Section Acres	29
11N	14E	29	NW	NW	IRRIGATION	36
			SW	NW	IRRIGATION	10
					Section Acres	46
					Total Acres	75

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:

15. Basis of Claim: License

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:

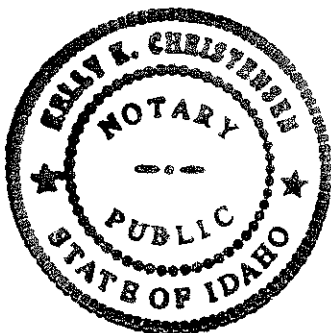
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Mervin J. Rupe Date: 11/14/05
 _____ Date: _____

State of Idaho)
) SS.
 County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 14th day of Nov 2005

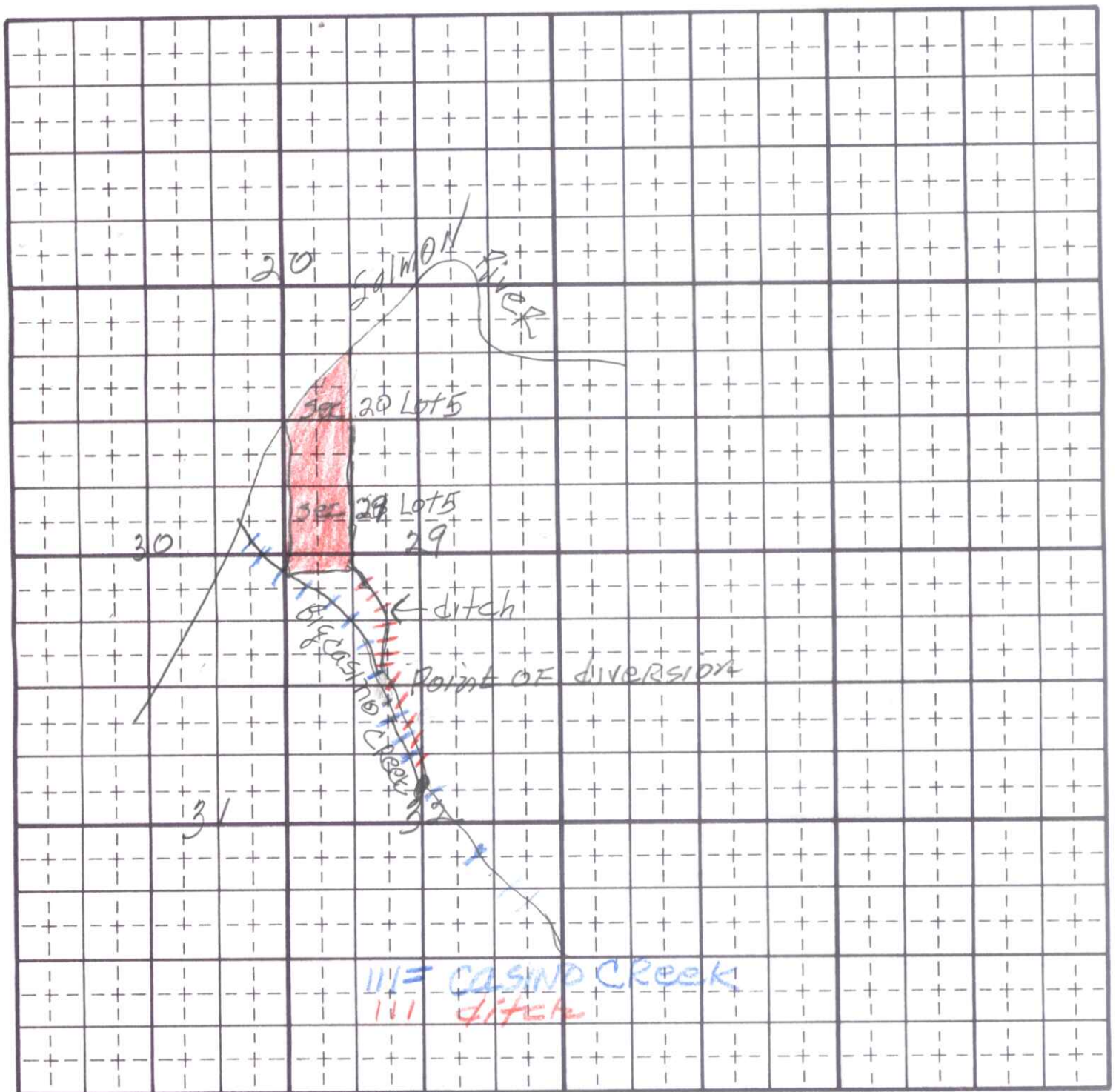
Kelly K. Christensen
 Notary Public



Residing at _____ Twin Falls, ID
 My commission Expires 4-2-2010

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant