

(21)
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JUN 26 2006
DEPARTMENT OF
WATER RESOURCES

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

JUN 23 2006

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

By _____

In Re SRBA _____ Subcase: 29-13739

Deputy Clerk

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

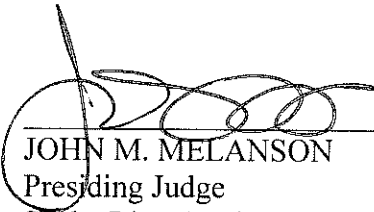
On March 24, 2006, Gary R. Johnson on behalf of Mountain View Farms, Inc., filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on June 20, 2006. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim. At the hearing the Court initially decided to refer the matter to a Special Master, to determine any potential impact of the late claim on the Portneuf River Settlement Agreement. However, because the claim is a small stockwater claim and otherwise deferrable, the Court reverses its earlier decision and will allow the claim to proceed.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right 29-13739 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. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated June 23, 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 June 23, 2006,
with sufficient first-class postage to the following:

MOUNTAIN VIEW FARMS INC
C/O GARY R JOHNSON
8886 W 2 1/2 MILE RD
POCATELLO, ID 83202
Phone: 208-243-1390

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. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

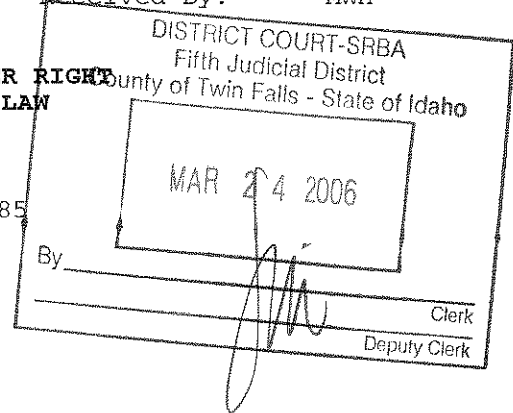
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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

CIVIL CASE NUMBER: 39576

Ident. Number 29-13739
Date Received: 3/17/2006
Receipt No:
Received By: MWH

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



1. Name of Claimant(s)

MOUNTAIN VIEW FARMS INC Phone: (208)237-1885
C/O GERALD JOHNSON
9112 W 2 1/2 MILE RD
POCATELLO ID USA 83202-5206

2. Date of Priority: 01/09/1913

3. Source: BUFFALO CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	35E	33	NE SW	BANNOCK	Beginning Point
05S	35E	32	NE SE	BANNOCK	Ending Point

5. Description of diverting works:

Instream stockwater for 100 head of range cattle.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	10/31	0.02	

7. Total Quantity Appropriated is:
0.02 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
05S	35E	32	NE SE	STOCKWATER	
05S	35E	33	NW SW	STOCKWATER	

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

Stockwater use is for 100 range cattle.

Awaiting acceptance of late claim by SRBA court.

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: _____

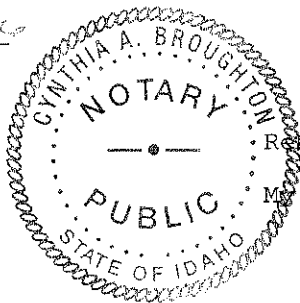
For Organizations:

I do solemnly swear or affirm that I am Nice president of
Mtn. View Farms Inc. Title
 Organization that I have signed the foregoing
 document in the space below as Nice president of
Mtn. View Farms Inc. Title
 Organization and that the statements contained in the
 foregoing document are true and correct. [Signature]
 Signature of Authorized Agent
Nice president - Mtn. View Farms Inc.
 Title and Organization

3/17/06
 Date

State of Idaho)
 County of IDAHO) SS.

Subscribed and sworn (or affirmed) before me this
 of 17TH MAR 2006



[Signature]
 Notary Public
 Residing at Pocatello Idaho
 My commission Expires 3-5-2010

Idaho Department of Water Resources Receipt

Receipt ID C081543

Payment Amount	\$25.00	Date Received	6/26/2006 12:14:14 PM	Region	State	Status
Payment Type	Check	Check Number	4584			

Payer JOHNSON GARY R

Comment Water Right

Fee Detail

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



Signature Line (Dept. Representative)