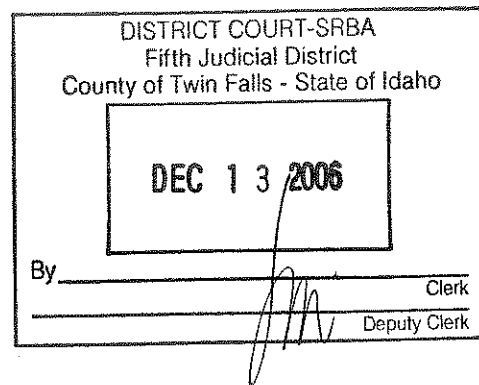




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
) **ORDER GRANTING MOTION TO**
) **FILE LATE NOTICE OF CLAIM**

)
) **For Water Right Claim: 29-13726**
)
)

I.
PROCEDURAL BACKGROUND

This matter came before the Court pursuant to a *Motion to File a Late Notice of Claim* filed by Claimant Nancy Van Kampen on January 20, 2006. A hearing was held on the *Motion* August 29, 2006. No party filed an objection or appeared in opposition to the *Motion*. The matter was then referred to a special master to make findings and issue a recommendation in accordance with late claim standard of I.R.C.P. 55(c) on May 2, 2006. Specifically, the Court was concerned whether the late claim would result in prejudice to other parties who timely adjudicated their claims.

On September 29, 2006, Special Master Brigitte Bilyeu issued a *Special Master's Report and Recommendation Regarding Motion to File Late Claim* recommending that the late claim be granted on the condition that the claim be amended, accordingly. On October 26, 2006 an

Amended Notice of Claim was submitted to the Court with the requisite changes made. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and the *Amended Notice of Claim* and wholly adopts them as its own.

II. ORDER

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right 29-13683 be **granted**. The original *Notice of Claim*, as well as any filing fee submitted, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action consistent with this *Order*.

IT IS SO ORDERED

Dated: December 11, 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 December 13, 2006, with sufficient first-class postage to the following:

JEDD R VAN KAMPEN

NANCY VAN KAMPEN

Represented by:

ROBERT L HARRIS

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
FREDERICK J. HAHN, III
KARL R. DECKER
SHAN B. PERRY
DeANNE CASPERSON**
AMELIA A. SHEETS
ROBERT L. HARRIS
DEBORAH S. O'MALLEY

1000 RIVERWALK DRIVE, SUITE 200
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
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Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

**Also Licensed in Missouri & Kansas

October 24, 2006

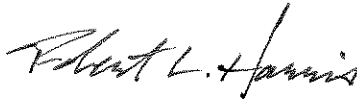
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: Amended Notice of Claim for Water Right 29-13726, in the name of Nancy Van Kampen

Dear Clerk:

Enclosed is an Amended Notice of Claim for Water Right No. 29-13726. In a status conference held last month, we discussed this Amended Notice with the Court. It now accurately reflects the place of use for the claimed Water Right. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosure

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

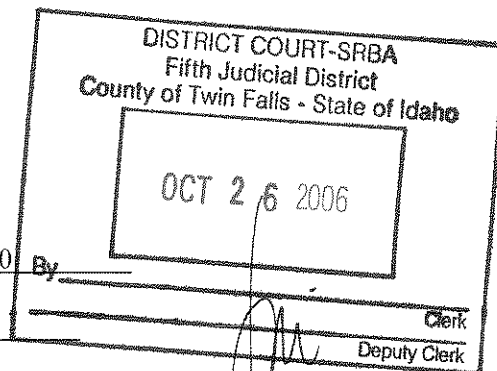
CIVIL CASE NUMBER: 39576

Ident. Number 29-13726

Date Received _____

Receipt Number _____

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



1. Name of Claimant(s) Nancy Van Kampen Phone (801) 752-7740
Mailing Address 166 E. 350 S., Logan, UT Zip 84321
2. Date of Priority (Only (1) per claim) August 7, 1932
3. Source of water supply (a) Dempsey Creek
which is tributary to (b) Portneuf River
- 4.a. Location of existing point of diversion is:
Township 10S Range 38E Section 4, NE 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____,
County of Bannock

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. _____

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 10/31 amount 1.62 or _____

7. Total quantity claimed (a) 1.62 (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.) _____

17. Notice of Appearance:

Notice is hereby given that I, ROBERT L. HARRIS 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 Robert L. Harris
Address PO Box 50130, Idaho Falls, ID 83405
Date Oct. 23, 2006

G:\WPDATA\ARLH\13608 Van Kampen, Kurtis\Amended Claim.wpd:cdv

10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TTS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	38E	29																2.2	2.2
		32	14			23													37
		33		11				31											42

Total number of acres irrigated 81.2

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

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.
29-170, 29-171, 29-12064 or None ()

14. Remarks:

15. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice ☐ Permit ☐ Decree ☐ License ☐
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

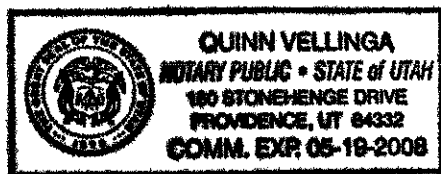
16. Signature(s)

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

Signature of Claimant(s) Nancy Van Kampen Date 10-18-06
Nancy Van Kampen

State of Utah)
) ss.
County of CACHE)

Subscribed and sworn (or affirmed) before me this 18 day of OCTOBER, 2006.



Notary Public QUINN VELLINGA
Residing at CACHE COUNTY, UTAH
My Commission Expires 05-19-2008

Last Name Van Kampen, Nancy Ident. Number 29-13726

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

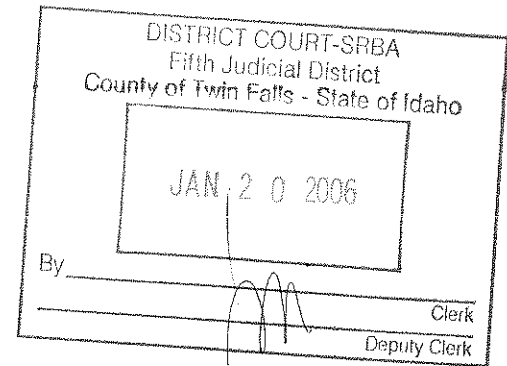
Ident. Number 29-13726
Date Received: 10/27/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JEDD R VAN KAMPEN Phone: (801)752-7740
166 E 350 S
LOGAN UT USA 84321

NANCY VAN KAMPEN Phone: (801)752-7740
4301 W 600 S
LOGAN UT USA 84321



2. Date of Priority: 08/07/1932

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	38E	4	NE SW SW	BANNOCK	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.2	
STOCKWATER	04/01	10/31	0.04	

7. Total Quantity Appropriated is:
1.2 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
09S	38E	30	NW	NE		IRRIGATION	2.7
			SW	NE		IRRIGATION	37
			SE	NE		IRRIGATION	33
			NE	SE		IRRIGATION	33
			NW	SE		IRRIGATION	39
			SW	SE		IRRIGATION	18
			SE	SE		IRRIGATION	17
						Section Acres	179.7
						Total Acres	179.7

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 same as irrigation.

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 X 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):

Joseph R. Van Kampen
Nancy Van Kampen

Date: 1-16-06

Date: 1-16-06

State of UTAH

)

County of Cache

) SS.

Subscribed and sworn (or affirmed) before me this 16th day of January 2006

Notary Public
Mary Lynn Andreasen
Residing at _____

My commission Expires _____

