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JAN 10 2007

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: 36-16403

JAN - 9 2007

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

By _____

Clerk

Deputy Clerk

On June 13, 2006, Jack M. Harman, Shelley Harman, Kent M. Harman and Tamara Harman, by and through their attorney Michael P. Tribe, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on September 19, 2006, and the matter was referred to Special Master Theodore R. Booth.

On November 29, 2006, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. 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 Recommendation* and wholly adopts them as its own.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right 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 January 8, 2007.

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 January 09, 2007, with sufficient first-class postage to the following:

JACK M HARMAN
KENT M HARMAN
SHELLEY HARMAN
TAMARA HARMAN

Represented by:
MICHAEL P TRIBE
MICHAEL P. TRIBE
615 H STREET
PO BOX 396
RUPERT, ID 83350-0396
Phone: 208-436-4717

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

ORDER

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FILE COPY FOR 01918

Deputy Clerk

A handwritten signature in dark ink, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and cursive.

RECEIVED
JAN 10 2007
DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number: 36-16403Date Received: 1-10-07Receipt No.: CO83004**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**1. Name of Claimant(s): Jack M. Harman
Shelley Harman
Kent M. Harman
Tamara Harman

Phone: (208) 312-4632

Mailing Address: 465 East, 1500 North, Rupert, ID Zip: 83350

2. Date of Priority (Only one (1) per claim): 02-20-1948

3. Source of water supply (a): groundwater

which is tributary to (b):

4. a. Location of existing point of diversion is: Township 7 S, Range 25 E, Section 18

NE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Minidoka

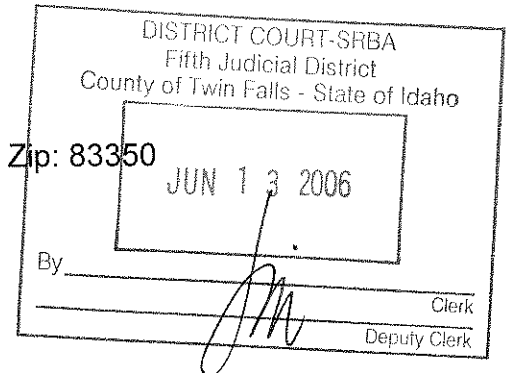
Additional points of diversion if any:

Township 7 S Range 25 E Section 18 SE 1/4 of NE 1/4 of SW 1/4,
Govt. Lot _____ B.M., County of Minidoka

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 ____

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. _____

Two (2) ground water pumps connected to pivots which irrigate the place of use.Last Name Harman Ident.No. 36-16403

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 3.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed: (a) 3.2 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses – Describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

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.

TWP	RNG	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	25 E	18	40	40	40	40									40	40	40	40	320

Total number of acres irrigated: 320

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

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.
36-02061 or None ()

14. Remarks: _____

Last Name Harman Ident.No. 36-16403

15. Basis of Claim (check one): Beneficial Use ☐ Posted Notice ☐ License ☒ Permit ☐
Decree _____
If applicable, provide IDWR Water Right Number.: _____
Court _____ Case No. _____ Decree Date _____
Plaintiff vs. Defendant: _____

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

Signature of Claimant(s) <u>[Signature]</u>	Date <u>5/30/06</u>
<u>[Signature]</u>	Date <u>5/30/06</u>
<u>Shelley Harman</u>	Date <u>5/30/06</u>
<u>Johny Harman</u>	Date <u>5/30/06</u>

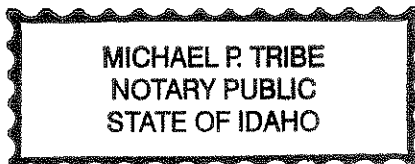
For Organizations: I do solemnly swear or affirm that I am _____ of _____, that I have signed the foregoing document in the space below as _____ of _____ and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho)
) ss.
County of Minidoka)

Subscribed and sworn (or affirmed) before me this 30 day of ^{May}~~April~~, 2006.

[SEAL]



Michael P. Tribe
Notary Public, State of Idaho
Residing at: Rupert, Idaho
My Commission expires: 4/15/2011

17. Notice of Appearance:

Notice is hereby given that I, Michael P. Tribe, will be acting as attorney at law on behalf of the claimants signing the above, and that all notices required by law to be mailed by the director to the claimants signing above should be mailed to me at the address listed below.

Signature Michael P. Tribe
Michael P. Tribe
LING, ROBINSON & WALKER
Address P. O. Box 396, Rupert, Idaho 83350-0396
Date May 30, 2006

Last Name Harman Ident.No. 36-16403