

REC-111
FEB 15 2007
DEPARTMENT OF
WATER RESOURCES

2.

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB 15 2007
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	)	Water Right No.: 29-13764
	)	
Case No. 39576	)	ORDER GRANTING MOTION TO FILE
	)	LATE NOTICE OF CLAIM
	)	
	)	

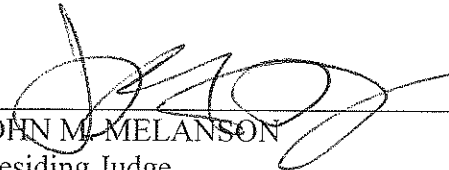
On August 29, 2006, Barry T. and Valorie Williams filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on November 21, 2006. No party appeared in opposition to the *Motion to File Late Notice of Claim*. However, following the hearing, the Court referred this matter to a special master to make findings consistent with the I.R.C.P. 55(c) standard. On February 14, 2007, the special master issued a *Special Master's Report and Recommendation on Motion to File Late Claim* recommending that the late claim be granted. No party appeared in opposition to the motion in conjunction with the proceedings before the special master. Although the time for filing a *Motion to Alter or Amend* to the *Special Master's Report and Recommendation* has not expired, the Court can find no reason to delay the issuance of this *Order* and will forward the late claim to IDWR for investigation and reporting.

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 annual basis. This modifies the provisions of *SRBA Administrative Order 1 4d(2)(d)*

IT IS SO ORDERED.

Dated February 15, 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 MOTION TO FILE LATE NOTICE OF CLAIM was mailed on February 15, 2007, with sufficient first-class postage to the following:

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

BARRY T WILLIAMS
VALORIE WILLIAMS
1277 MINK CREEK RD
ARBON, ID 83212
Phone: 208-335-2354

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 name "Julie" and last name "Murphy" clearly distinguishable.

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

RECEIVED

FEB 20 2007

DEPARTMENT OF
WATER RESOURCES

Ident. Number 29-13764
Date Received: 8/15/2006
Receipt No: 6083287/AMB
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BARRY T WILLIAMS Phone: (208)335-2354
1277 MINK CREEK RD
ARBON ID USA 83212

VALORIE WILLIAMS Phone: (208)335-2354
1227 MINK CREEK RD
ARBON ID USA 83212

2. Date of Priority: 04/01/1940

3. Source: BANNOCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	33E	13	SW SE	POWER	

5. Description of diverting works:

DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	2	

7. Total Quantity Appropriated is:
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
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DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 29 2006

By _____ Clerk
Deputy Clerk

11S	33E	13	NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
					Section Acres	80
					Total Acres	80

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

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): *Darryl J. Williams* Date: 8-15-06

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of August 2006 *Kathy Jackson*

Notary Public

Residing at *Idaho Falls*

My commission Expires 8/31/2011

