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MAR 22 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 2 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

Subcase: 63-32590

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On December 29, 2006, Christopher Bray and/or Gail Etheridge Bray filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on March 20, 2007. 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 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 March 21, 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 March 21, 2007, with sufficient first-class postage to the following:

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

CHRISTOPHER D. BRAY
GAIL ETHERIDGE BRAY
6301 PIERCE PARK LN
BOISE, ID 83714

ORDER

Page 1 3/21/07

FILE COPY FOR 01469

Deputy Clerk

A handwritten signature in cursive script, reading "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".

Dec. 28, 2006 1:15PM

Idaho Dept. of Water Resources

No. 6806

P. 1

RECEIVED

MAR 22 2007

Form No. 42-1409 (2) b 7/06

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

Date Received: 3/22/07Receipt No: C085040Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) Christopher D. Bray & /or Gail Ethelridge Bray Phone () 853-2036Mailing Address 6301 Pierce Park Ln, Boise, ID Zip 837142. Date of Priority: (Only one per claim) December 5, 1874 Month/Day/Year3. Source of water supply (Check one) Ground Water () or Other () (a) _____
which is tributary to (b) _____4. Location of Point of Diversion is: Township 4N, Range 2E, Section 19,
NW, 1/4 of NW, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of Ada

Additional points of diversion if any: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

Well, pump, pipelines. Well redrilled in April 2000 to a depth of 90 feet.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from 1/1 to 12/31 amount .04 cfs

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus

9. Non-Irrigation uses. Describe fully. (Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) single family, stock water, 2

Dec. 28. 2006 1:15PM Idaho Dept. of Water Resources

No. 6806 P. 2

Form No. 43-1409 (2) b 7/06

10. Location of Place of Use is: Township 4N, Range 2E, Section 19,
NW, 1/4 of NW, 1/4, Govt. Lot _____, BM.

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. Which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes (☒) No ()
If the 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.

None () Municipal water also used inside

14. Remarks: Water date of priority established by US Patent, 12/15/18⁷⁴

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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: 2

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) Christopher D. Bray Date: 12/28/2006
Date: _____

For Organizations: I do solemnly swear or affirm that I am _____ Title

of _____, that I have signed the foregoing document in the space below as
Organization

_____ of _____
Title Organization

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho)
County of Ada) SS.

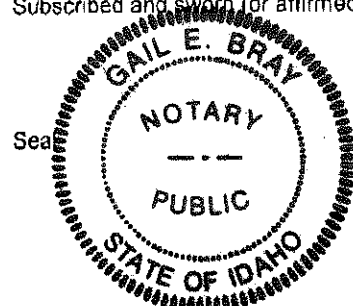
NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 28 day of December 2006

Notary Public Gail E. Bray

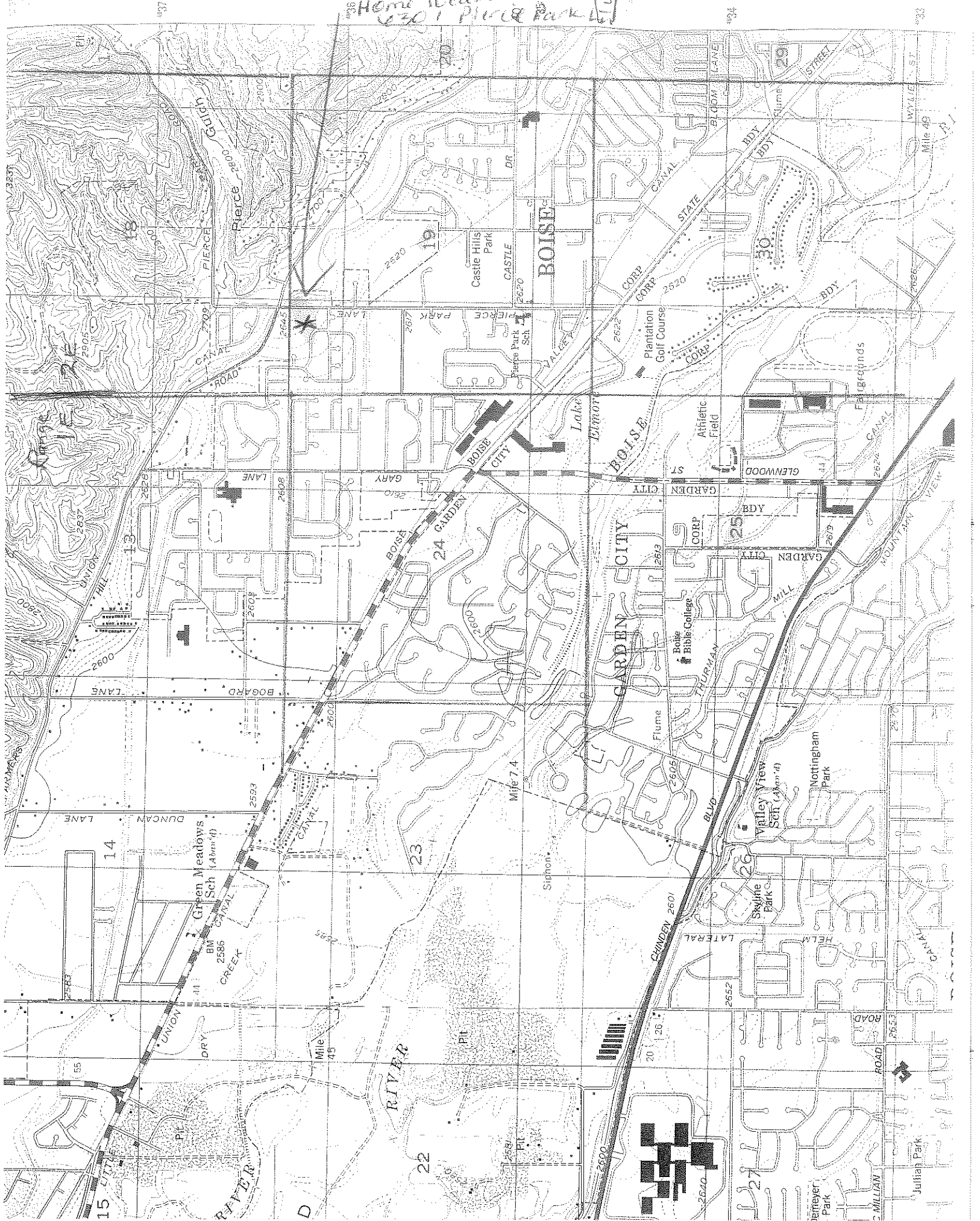
Residing at Boise, Idaho

My commission Expires 3/3/2010



Last Name Bray Identification No. _____

= Section #19
Home location
6301 Pierce Park Blvd



U. S. A.

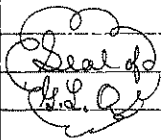
In Certificate } To all whom these Presents shall come,
S. D. Aikens, No. 55 } Greeting

Whereas Samuel D. Aikens of Ada County Idaho Territory has deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Boise City, Idaho Territory, whereby it appears that full payment has been made by the said Samuel D. Aikens according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the sale of the Public Lands," for the South East quarter of the South East quarter of Section Thirteen, in Township four North, of Range one East, and the South West quarter of the South West quarter of Section eighteen, and the North West quarter of the North West quarter of Section nineteen, in Township four North, of Range two East, in the district of lands subject to sale at Boise City, Idaho Territory, containing one hundred and thirty acres and ninety nine hundredths of an acre, according to the official plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tracts have been purchased by the said Samuel D. Aikens.

Now Know Ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these Presents do give and grant unto the said Samuel D. Aikens and to his heirs, the said Tracts above described: To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Samuel D. Aikens and to his heirs and assigns forever; Subject to any vested and accrued water rights for mining, agricultural manufacturing, or other purposes, and rights to ditches and reservoirs, used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the

right of the proprietor of a vein or lode ^{to} extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof U. S. Grant, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed.



Given Under my hand, at the City of Washington, the Twentieth day of May, in the year of our Lord one thousand eight hundred and seventy four, and of the Independence of the United States the Ninety eighth.

By the President: U. S. Grant

By A. Williamson, Secretary.

Recorded Vol. 2, Page 28. L. K. Lippincott.

Recorder of the General Land Office.

Recorded at the request of S. S. Aiken December 5th 1874. at 4 min. past 2 P. M.

W. M. Hawthorn
Recorder.