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APR 02 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

) Subcase

22-13686

) (Insert water right number)

Case 39576

) STANDARD FORM 4

) MOTION TO FILE:

) ☒ LATE NOTICE OF CLAIM

) ☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read SRBA Administrative Order 1, Rules of Procedure (amended Sept. 30, 1996).

My name is Robert Scott Wood & Lu Ann Wood

My address is 2372 N. 8000 E. Teton Id. 83451

My phone number is: ²⁰⁸ Work 390-1350 Home 208-458-4929

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

I didn't think I needed to file a
stockwater claim.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 100.00.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on Tuesday July 17, 2007 at 1:30 P.M.
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

~~MOTION TO FILE AN AMENDED NOTICE OF CLAIM~~

~~A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.~~

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Madison

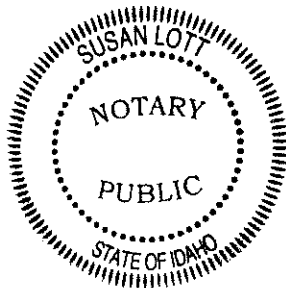
Robert Scott Wood, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Robert Scott Wood
Signature of person filing motion

Spouse Suzanne Wood
~~Attorney signing in representative capacity~~

Subscribed and sworn to before me on March 30, 2007
(Insert Date)



Susan Lott
Notary Public for State of Idaho
Residing at: Newdale, Idaho
My Commission expires: 6/02/2012

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 3/30/07, 199 , I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

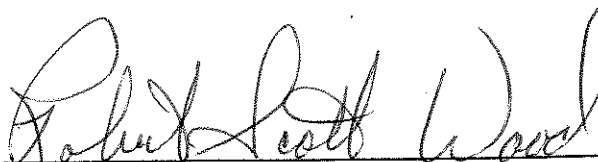
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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 22-13686
Date Received: 3/29/2007
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 02 2007

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

ROBERT SCOTT WOOD Phone: (208) 458-4929
2372 N 8000 E
TETON ID USA 83451

LU ANN WOOD Phone: (208) 458-4929
2372 N 8000 E
TETON ID USA 83451

2. Date of Priority: 07/01/1907

3. Source: MOODY CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	41E	3	SE SW	MADISON	Beginning Point
05N	41E	3	NW SE	MADISON	Ending Point

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/01	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
05N	41E	3	NE SW	STOCKWATER	
			SE SW	STOCKWATER	
			NW SE	STOCKWATER	
05N	41E	11	NE SE	STOCKWATER	

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

This is submitted as a late instream stock water claim.
Water is trucked to stock trough in NESE 11 5N 41E.

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: _____

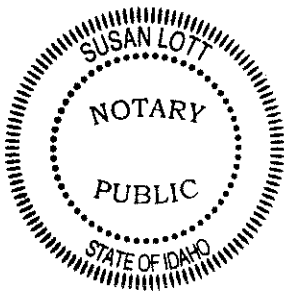
For Individuals:

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

Signature of Claimant(s): Robert Scott Wood Date: 3/30/07
Susan Lott Date: 3/30/07

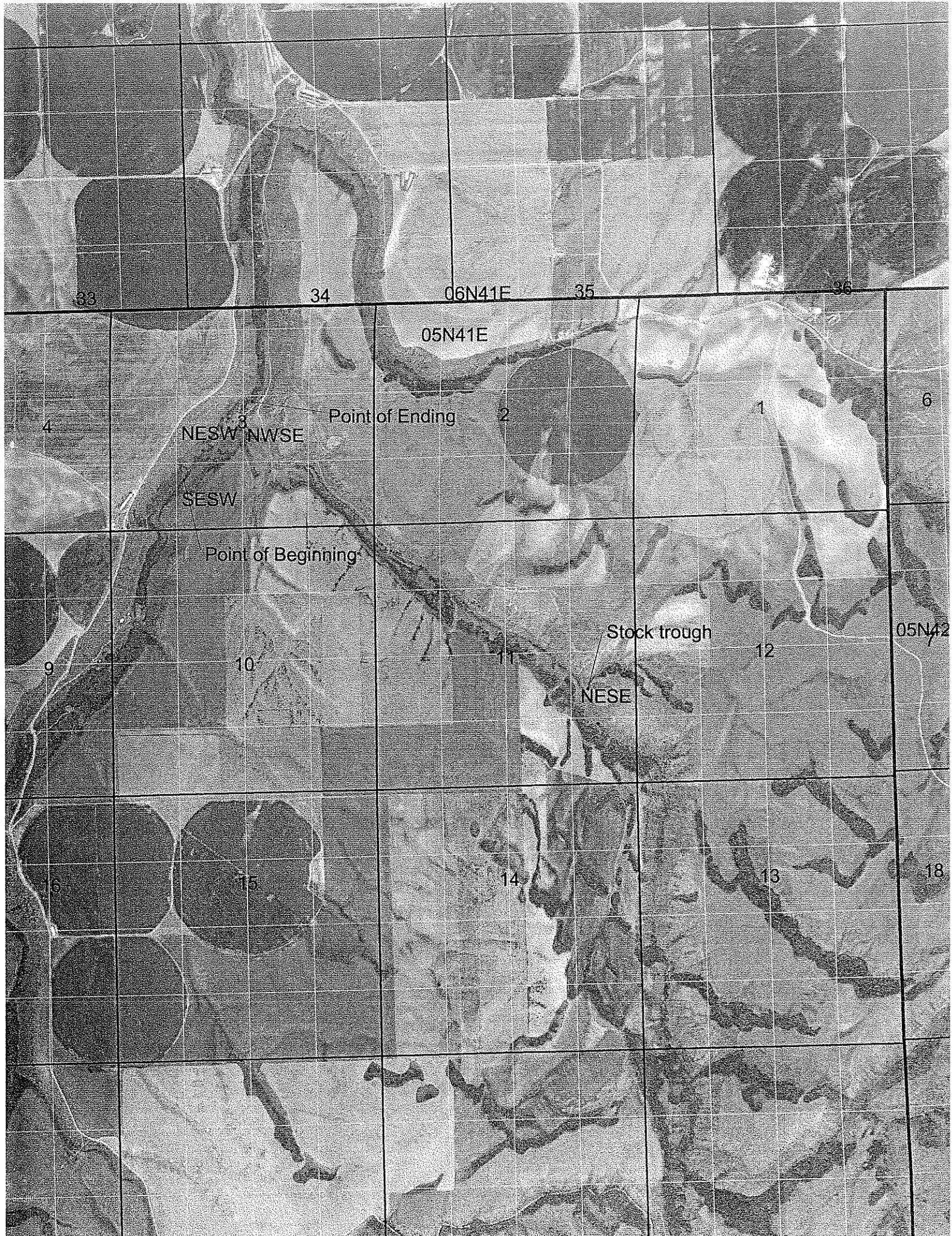
State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 30 of March 2007



Susan Lott
Notary Public

Residing at Newdala, Idaho
My commission Expires 6/02/2012



33

34

06N41E

35

36

05N41E

4

NESW NWSE

Point of Ending

2

1

6

SESW

Point of Beginning

9

10

Stock trough

12

05N42

NESE

14

13

18

16

15

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **BLACKFOOT, IDAHO,**
has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,
"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of
WALTER OLSON
has been established and duly consummated, in conformity to law, for the **EAST HALF OF THE SOUTHWEST QUARTER**
AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION THREE AND THE
NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION TEN IN TOWNSHIP FIVE
NORTH OF RANGE FORTY-ONE EAST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE
HUNDRED SIXTY ACRES,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described;
TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of
the said claimant 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 there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the
authority of the United States; reserving, also, to the United States all coal in the lands so granted, and to it, or persons authorized by it,
the right to prospect for, mine, and remove coal from the same upon compliance with the conditions of and subject to the limitations of the
ACT OF MARCH 3, 1909 --35 STAT., 844--.

THIS PATENT IS ISSUED IN LIEU OF PATENT NO. 282132, DATED JULY 1, 1912,
WHICH HAS BEEN CANCELED BECAUSE OF AN ERROR IN THE DESCRIPTION.

IN TESTIMONY WHEREOF, I, **WILLIAM H. TAFT**

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**

(SEAL)

day of **SEPTEMBER** in the year of our Lord one thousand
nine hundred and **TWELVE** and of the Independence of the
United States the one hundred and **THIRTY-SEVENTH**

By the President:

By

Wm. H. Taft

W. O. LeRoy Secretary,

Wm. H. Taft
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number **292881**

6-2163

See Supplemental Patent No. **688325**
issued under the Act of April 14, 1914