

MEMO

DATE: October 17, 2006

TO: Files 21-12998 and 21-12999

FROM: Cindy E. Bird *CB*

CC: Trent Galbraith (email)

REF: Motion to file a Late Claim

SUBJECT: Filing Fee

Larry Simmons came into my office to pay some additional fees that were brought up at his Motion to file a late claim hearing on September 19th, 2006. Someone from IDWR was on the phone conference and stated that he needed to pay an additional \$137.00. After some research this is what I discovered.

His original filing fee of \$100.00 was paid under receipt number E031372 on 10/21/2005. However on 1-13-2006 the \$100.00 filing fee was returned to the claimant. He filed a motion to file late claims (21-12998 and 21-12999) on June 23, 2006 for 137 acres of irrigation. The hearing was held on September 19th, 2006 on the motion. On September 20th, 2006 the claimant was granted the motion to file his late claims and was notified at that time he needed to pay an additional \$137.00 (\$1.00 x 137 acres). Both claims describe the same place of use.

After talking with Don Shaff and researching the place of use, these acres were already paid for under one of these other rights 21-12861 or 12865. They also describe the same 137-acre place of use as 21-12998 and 12999.

Therefore, the fee that was paid today by Larry Simmons under Receipt Number B000026 was \$200.00 for claims 21-11298 and 11299: \$50.00 filing fee and a \$50.00 late fee for each claim. The old fee schedule was used because his Motion to file a late claim was filed prior to the July 3rd

increase. Therefore, these claims should be ready for review by the appropriate agent.

Enclosure: Copy of Receipt B000026 (file only)

Idaho Department of Water Resources Receipt

Receipt ID B000026

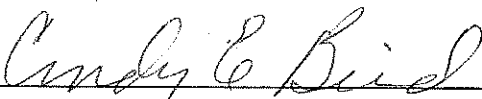
Payment Amount \$200.00 Date Received 10/17/2006 1:49:15 PM Region Soda Springs Status
Payment Type Check Check Number 676

Payer SIMMONS LARRY

Comment 21-12998 FILING FEE \$50.00 AND \$50.00 LATE FEE
21-12999 FILING FEE \$50.00 AND \$50.00 LATE FEE

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	ADJUDICATION FILING FEE	0337		43503	1155
\$100.00	ADJUDICATION LATE FEE	0337		43503	1155


Signature Line (Dept. Representative)