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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 39576

Subcase

21-13060

(Insert water right number)

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 Ron Green

My address is P.O. Box 236, Chester, Idaho 83421

My phone number is: Work 208-624-0117 Home 208-624-0117

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 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 \$ _____.
- ☐ 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 \$ 261.20.

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 _____
(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 Fremont

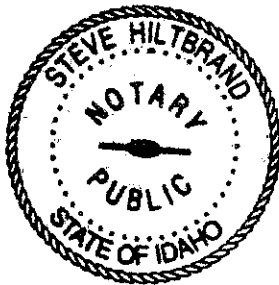
Ron Green, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

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.

Ron Green
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 5 June 2007
(Insert Date)



Steve Hiltbrand
Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission expires: 4-9-2010

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 June 5, ²⁰⁰⁷~~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

June 4, 2007

To whom it may concern.

My father Virgil Blanchard purchased the 320 acres known as the Farnsworth place in 1940. He raised hay, grain, and potatoes as well as 60 to 80 head of cattle. So the pasture had to be irrigated.

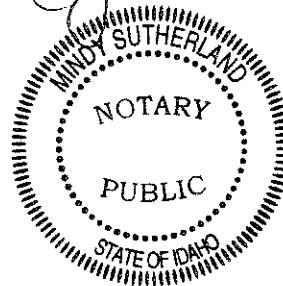
The property was deeded to me and my sister in 1982. My brother Kriss Blanchard farmed the same as Dad untill his death in December 1996.

My son-in-law Donald Day farmed until Ronald Green purchased it in 2005 raising hay, grain, and cattle. Irrigating the same as dad and Kriss.

Marie Blanchard Seeley

Marie B. Seeley

Mindy Sutherland



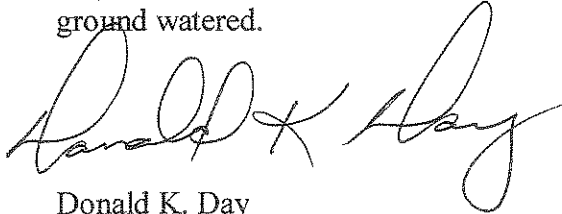
expir 12/7/12

To whom it may concern:

I have been associated with the 320 acres of ground that the 21-72c water right is attached to for 25 plus years. I have farmed and used the water for irrigation for the past 11 years.

Over the last eleven years by means of flood irrigation and sprinkler I have irrigated over 180 acres. The sprinkler system is buried and has existed long before I came to the property. The pasture ground was established long before I first became familiar with the property and had been irrigated or would not have survived.

The Ditches were already in place, I never created any new ditches, I just used the ones that were in place and in my option were put there by the pioneers, because the only way they had to irrigate was to flood, and all of the ditches are in the right places to get the ground watered.



Donald K. Day

Acknowledgment

State of Idaho

County of Madison

On June 1, 2007 Donald K. Day

personally appeared before me,

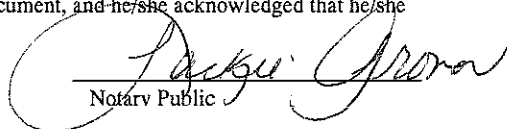
 who is personally known to me

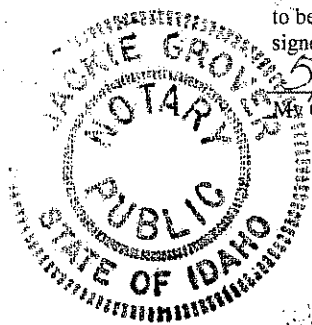
☒ whose identity I proved on the basis of Drivers License

 whose identity I proved on the oath, affirmation of ,
a credible witness

to be the signer of the above document, and he/she acknowledged that he/she signed it

5/28/08
My Comm Exp


Notary Public



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 21-13060
Date Received: 4/27/2007
Receipt No:
Received By: TG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE GREEN FAMILY TRUST Phone: (208)624-0117
PO BOX 236
CHESTER ID USA 83421

2. Date of Priority: 04/01/1970

3. Source: FALL RIVER Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08N	42E	20	NW SW SE 2	FREMONT	

5. Description of diverting works:

Two 24 inch culvert type headgates backfilled.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.61	

7. Total Quantity Appropriated is:
0.61 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
08N	42E	17	NW NE	IRRIGATION	0.2
			SW NE	IRRIGATION	35
			SE NW	IRRIGATION	31
			SW NW	IRRIGATION	20

NE	SW	IRRIGATION	38
NW	SW	IRRIGATION	22
NE	NW	IRRIGATION	5.3
NW	NW	IRRIGATION	9.1
Section Acres			160.6
Total Acres			160.6

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

This right is limited to the irrigation of 30.6 acres within the place of use described above in a single irrigation season.

Right Nos. 21-72C and 21-13060 are limited to a total combined diversion rate of 3.2 cfs.

Right Nos. 21-72C and 21-13060 are limited to the irrigation of a combined total of 160.6 acres in a single irrigation season.

This right is in temporary status until approved by the court. This is a late claim.

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 Organizations:

I do solemnly swear or affirm that I am Owner of _____ Title

Green Family Trust, that I have signed the foregoing Organization

document in the space below as Owner of _____ Title

Green Family Trust and that the statements contained in the Organization
foregoing document are true and correct. Ron Green Signature of Authorized Agent

Owner Green Family Trust
Title and Organization

4-27-2007

Date

State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27 day of April 2007



Lisa Snarr

Notary Public

Residing at Idaho Falls

My commission Expires 6/12/10