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JUL 23 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 23 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

Case No. 39576

) Subcase: 63-32642
)
)
)
)
)

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On April 24, 2007, Michael L. and Angela McGlathery filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on July 17, 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 July 20, 2007.



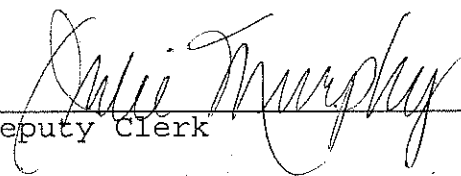
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 July 23, 2007, with sufficient first-class postage to the following:

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

ANGELA MC GLATHERY
MICHAEL MC GLATHERY
9892 HWY 21
BOISE, ID 83716
Phone: 208-343-9653

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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 63-32642

Date Received: _____

Receipt No: _____

Received By: _____

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)

Michael or Angela McElathery Phone 343-9653

Mailing Address

9892 Hwy 21 Boise ID. Zip 83716

2. Date of Priority: (Only one per claim) 1/1/73 est Month/Day/Year

3. Source of water supply (Check one) Ground Water ☒ or Other ☐ (a) _____

which is tributary to (b) _____

4. Location of Point of Diversion is: Township TORN, Range ROSE, Section S2

_____, 1/4 of NE, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of ADA

Additional points of diversion if any: N.A

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, Well pump, Distribution pipes

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 Month/Day to 12/31 Month/Day amount _____ (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed _____ (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)

There ARE 2 houses ON
this property, +- 1 acre of lawn AND 20 fruit
trees, several hose bibs

10. Location of Place of Use is: Township TO2N, Range RO3E, Section S11,
 _____, 1/4 of _____, 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 (☒) _____

14. Remarks: _____

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: _____

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) Michael L. McWhorter Date: 4/19/07
 _____ 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 19th day of April, 2007

Notary Public Jan Kendeck

Residing at Baese

My commission Expires 9-1-10

Seal

Last Name _____ Identification No. _____