

AUG 31 2007

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

Subcase: 74-000874, 74-00875
and 74-00876

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIM

On April 9, 2006, Mark McKinney filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on August 23, 2007. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for the above-captioned water rights are **granted, on the condition the appropriate filing fees are paid in full to the Idaho Department of Water Resources**. Said filing fees were not submitted to the SRBA District Court with the filing of the *Motions to File Late Notice of Claim*

The original Notices of Claim 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 claims 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 August 31, 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
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on August 31,
2007, with sufficient first-class postage to the following:

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

MARK MC KINNEY
2225 HWY 46
GOODING, ID 83330
Phone: 208-934-4622

A handwritten signature in cursive script, reading "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 74-875

Date Received: _____

Receipt No: _____

Received By: _____

APR - 9 2007

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

By _____ For Domestic and/or Stockwater Purposes

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

Deputy Clerk

1. Name of Claimant(s) MARK MCKINNEY Phone () 934 4622

Mailing Address 2225 HIGHWAY 46 BOONVILLE IDAHO Zip 83330

2. Date of Priority: (Only one per claim) 04-01-1880 Month/Day/Year

3. Source of water supply (Check one) Ground Water () or Other ☒ (a) SPRINGS
which is tributary to (b) _____

4. Location of Point of Diversion is: Township 17N, Range 24E, Section 10,
NW, 1/4 of NE, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of LEMHI

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.

NONE

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

For STOCK WATER purposes from 1-01 to 12-31 amount .020 (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .020 (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) STOCK WATER

10. Location of Place of Use is: Township 17N, Range 24E, Section 10,
NW, 1/4 of NE, 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? LEMHI

12. Do you own the property listed above as place of use? Yes (X) 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 (X) _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
 Court _____ Decree Date 04-01-1880 Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 74 875

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) Mark McHenry Date: 4-9-07

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 Twin Falls) SS.

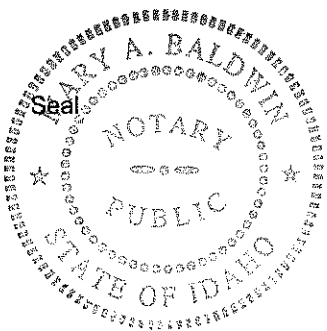
NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 9th day of April 20 07

Notary Public Mary A. Baldwin

Residing at Twin Falls, ID

My commission Expires 10/16/2010



Last Name _____ Identification No. _____