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OCT 05 2007

DEPARTMENT OF
WATER RESOURCES

COPY

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 22-13781
)
)

Case 39576

) STANDARD FORM 4
)
)

) MOTION TO FILE
)

) X LATE NOTICE OF CLAIM
)

) ___ AMENDED NOTICE OF CLAIM
)
_____)

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

My name is **Gordon S. Thatcher**

My address is: **116 S. Center, P. O. Box 216**

My phone number is: 208-359-5885

I am an attorney representing **Idaho Ranch Subdivision, LLC**

MOTION TO FILE A LATE NOTICE OF CLAIM

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

I thought this claim was covered by what is called "Amended Claim #2" in "Order Identifying Amended Claim" in Subcase # 22-00628A, entered on May 31, 2007, but that Order denied the Motion to Amend as to Claim #2 and ordered Claim #2 stricken from the records. To establish valid water rights claimants need to have approval for a late filed Notice of Claim.

 X I am providing legal and factual documentation for my claimed use of water.

This is fully set forth in Amended Notice of Claim attached hereto. The Notice of Claim was prepared and approved by Trent Galbraith of the IDWR who had full access to and had reviewed voluminous documents supporting the claim.

I have attached:

 X A fully completed Notice of Claim.

 X 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 the Idaho Department of Water Resources in the amount of \$200.00.

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, January 15, 2008 at 1:30 p.m**
At the SRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION

STATE OF IDAHO,)
 ss
County of Madison.)

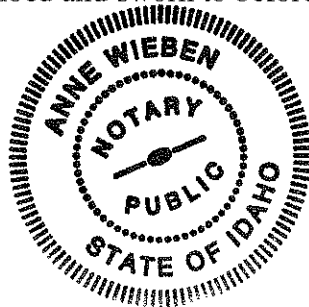
Gordon S. Thatcher, being each first duly sworn, upon oath, deposes and says:

I am the attorney for the party/claimant filing this motion for Motion for late or amended claim and that each I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.



Gordon S. Thatcher

Subscribed and sworn to before me on October 3, 2007.




Notary Public for Idaho
Residing at Rigby
My Commission Expires: 7/27/2013

CERTIFICATE OF MAILING

I certify that on October 3, 2007, 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
P. O. Box 2707
Twin Falls, ID 83303-2707

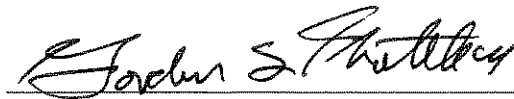
2. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resources 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 Special Master, you must serve a copy on all parties in that subcase.



Gordon S. Thatcher

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 22-13781
Date Received: 10/3/2007
Receipt No:
Received By: TG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

IDAHO RANCH SUBDIVISION LLC Phone: (208)787-4554
PO BOX 362
VICTOR ID USA 83455

2. Date of Priority: 04/15/1975

3. Source: PONY CREEK Trib. to: CANYON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	43E	33	SE SE SE	TETON	

5. Description of diverting works:

Dam in Pony Creek to ditch to pump to sprinkler system.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	3.86	

7. Total Quantity Appropriated is:

3.86 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
06N	43E	29	SW SW	IRRIGATION	28
			SE SW	IRRIGATION	22
Section Acres					50

06N	43E	32	NE	NW	IRRIGATION	35
			NW	NW	IRRIGATION	37
			NE	SE	IRRIGATION	5.1
					Section Acres	77.1
06N	43E	33	NW	NW	IRRIGATION	5.2
			SW	NW	IRRIGATION	36
			SE	NW	IRRIGATION	3.4
			NE	SW	IRRIGATION	34
			NW	SW	IRRIGATION	31
			SE	SW	IRRIGATION	18
			NW	SE	IRRIGATION	18
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	3.1
					Section Acres	188.7
					Total Acres	315.8

11. Place of use in counties: MADISON, TETON

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

13. Other Water Rights Used:

14. Remarks:

Right Nos. 22-628A and 22-13781 are limited to a total combined diversion rate of 6.0 cfs.

Right Nos. 22-628A and 22-13781 are limited to the irrigation of a combined total of 315.8 acres in a single irrigation season.

This right is for an enlargement of 193.8 acres within the place of use described for this right.

This right is based upon an enlargement of Right No. 22-628A pursuant to Section 42-1426, Idaho Code.

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

This claim will remain in temporary status until approved by the court.

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 Attorney of
Idaho Ranch Subdivision LLC, that I have signed the foregoing
Organization
document in the space below as attorney of
Title
Idaho Ranch Subdivision LLC and that the statements contained in the
Organization
foregoing document are true and correct.

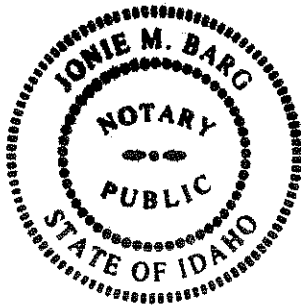
Gordon S. Frazier
Signature of Authorized Agent

Attorney for Idaho Ranch Subdivision LLC
Title and Organization

October 3, 2007
Date

State of Idaho)
County of Booneville) SS.

Subscribed and sworn (or affirmed) before me this 3 day of October 2007



Jonie M. Bagg
Notary Public
Residing at Idaho Falls
My commission Expires July 24, 2013