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OCT 23 2007

DEPARTMENT OF
WATER RESOURCES

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

OCT 19 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

Subcase: 27-13739

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On July 10, 2007, Eastern Idaho Water Company filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on October 16, 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 OCT. 18, 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 October 19, 2007, with sufficient first-class postage to the following:

EASTERN IDAHO WATER CO

Represented by:

JERRY R. RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

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 27-13739

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Eastern Idaho Water Company, C/O Larry Hinderager Phone (208) 317-5436

Mailing Address 434 West Riverton Road, Blackfoot, Idaho Zip 83225

2. Date of Priority (Only one (1) per claim) 03-25-1880

3. Source of water supply (a) Blackfoot River, Miner Creek, and Wolverine Creek
which is tributary to (b) Snake River & Blackfoot River

4. a. Location of existing point of diversion is: Township 02S Range 37E Section 17,
NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, 3 B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____ 1/4 Of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Rock, concrete capped dam, 2 four foot screw headgates in
canal.

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6. Water is claimed for the following purposes-

(both dates are inclusive)

(Cfs)

(acre feet)

For Stockwater purposes from 11/02 to 03/31 amount .5 or _____

For Groundwater Recharge purposes from 11/02 to 03/31 amount 7.5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Approximately 1400 head of beef cattle, and 50 horses. Groundwater Recharge from the canal.

10. Description of place of use:

SEE ATTACHMENT A

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? BINGHAM

12. Do you own the property listed above as place of use? Yes _____ No X

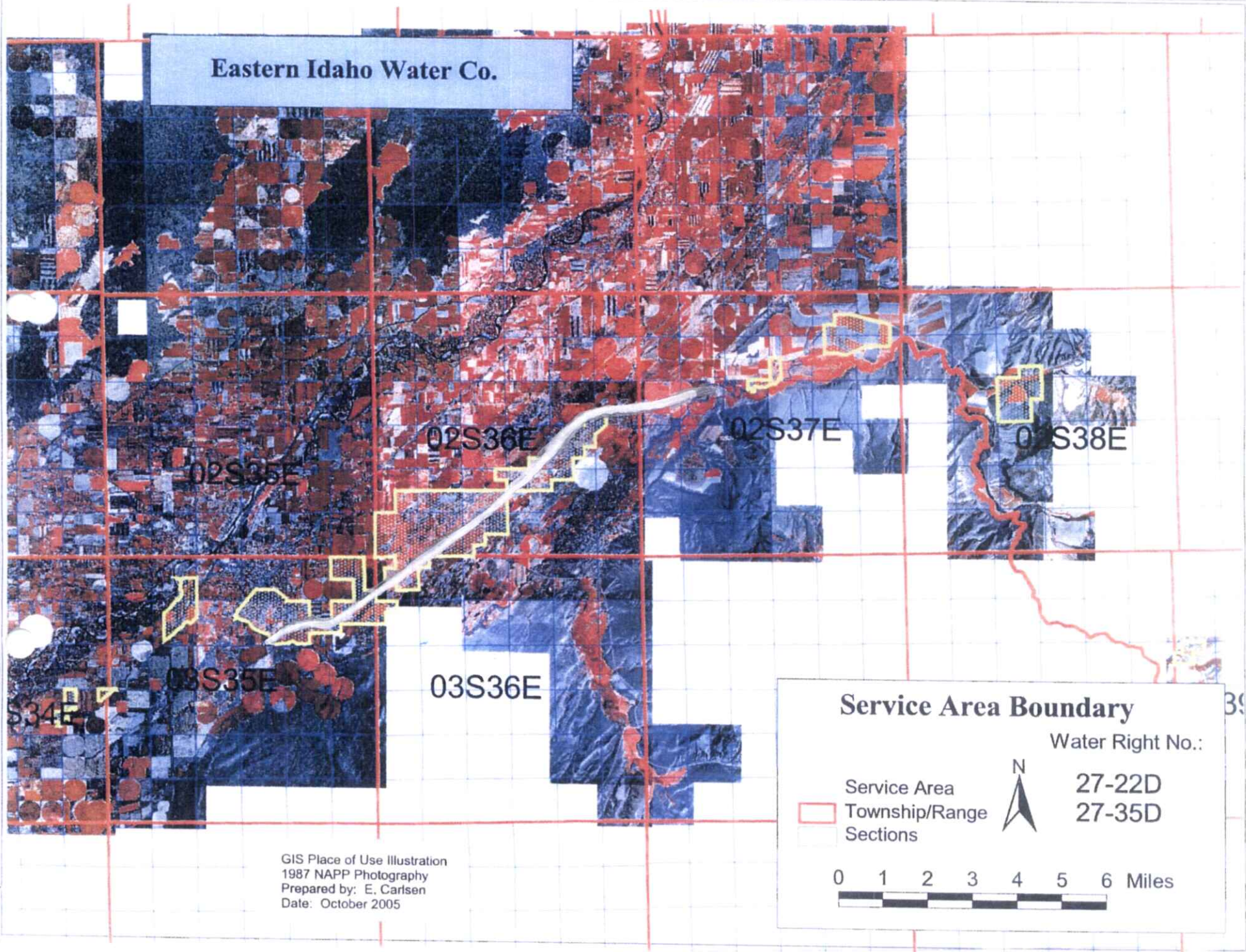
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 _____ or None ()

14. Remarks: The lands in the place of use belong to the shareholders of Eastern Idaho Water Company. Water Right 27-22D originally allowed winter use for stockwater and groundwater recharge, and has been used as such since 1880. Eastern Idaho Water Company was not aware when it filed its claim in the SRBA for 22-27D that it had to also file a claim on its winter usage.

Last Name East Idaho Water Company Ident No. _____

Eastern Idaho Water Co.



02S36E

02S37E

02S38E

02S35E

03S36E

03S35E

Service Area Boundary

Water Right No.:

27-22D

27-35D

Service Area

Township/Range

Sections



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: E. Carlsen
Date: October 2005

15. Basis of Claim (check one) Beneficial Use, X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 27-13739
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

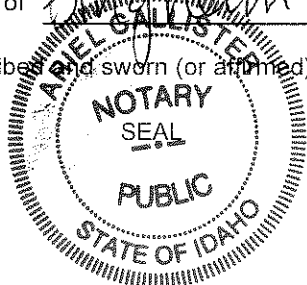
For Organizations: I do solemnly swear or affirm that I am President
Title _____
of Eastern Idaho Water Company
Organization _____, that I have signed the foregoing
document in the space below as President of Eastern Idaho Water Company
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent C. Larry Hildner
Title and Organization President of Eastern Idaho Water Company Date _____

State of Idaho/or _____)
County of Bingham) ss.

Subscribed and sworn (or affirmed) before me this

fifth day of July 2007



Notary Public

Residing at

My Commission Expires

Blackfoot

11/20/12

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Jerry R. Rigby will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Jerry R. Rigby

Address P.O. Box 250, Rexburg, ID 83440

Date 7-3-07

Last Name East Idaho Water Company Ident. Number _____

[illegible]