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NOV 16 2007

DEPARTMENT OF
WATER RESOURCES

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

NOV 13 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

) For water right: 35-2178J

Case No. 39576

) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)

On May 16, 2007, claimants Albert and Christine Wada filed a *Motion to File Late Notice of Claim*. A hearing was held on the *Motion* August 23, 2007. The *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to the *Late Notice of Claim*. However, because the late claim was made in a substantially completed subbasin, the matter was referred to a special master for further proceedings. On October 9, 2007, the Special Master issued a *Special Master's Report and Recommendation* recommending that the *Motion* be granted. Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Recommendation* and wholly adopts them as its own. No Challenges were filed and the time for filing Challenges has expired.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right 35-2178J 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.

Dated Nov. 13, 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 November 13,
2007, with sufficient first-class postage to the following:

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

ALBERT T WADA
CHRISTINE WADA
326 S 1400 W
PINEGREE, ID 83262-1137
Phone: 208-684-9801

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 35-2178J
Date Received: 5/14/2007
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - 5th JUDICIAL DISTRICT
TWIN FALLS CO., IDAHO
FILED
2007 MAY 16 PM 10 51

1. Name of Claimant(s)

ALBERT T WADA Phone: (208)684-9801
326 S 1400 W
PINGREE ID USA 83262-1137

CHRISTINE WADA Phone: (208)684-9801
326 S 1400 W
PINGREE ID USA 83262-1137

2. Date of Priority: 07/08/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	35E	22	SE NE	BINGHAM	

5. Description of diverting works:

well, pump and delivery system

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1	436

7. Total Quantity Appropriated is:
1 C.F.S. and/or 436 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01S	35E	14	SW SW	IRRIGATION	0.8
			SE SW	IRRIGATION	2.7
Section Acres					3.5

01S	35E	23	NW	NE	IRRIGATION	2.9
			NE	NW	IRRIGATION	32
			NW	NW	IRRIGATION	23
			SW	NW	IRRIGATION	30
			SE	NW	IRRIGATION	18
					Section Acres	105.9
					Total Acres	109.4

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

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: _____

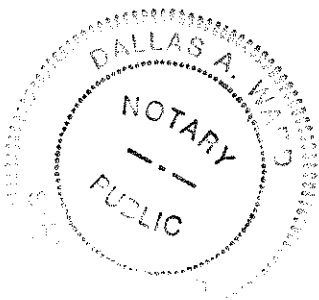
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Albert T. Wada Date: 5-15-07
Christine Wada Date: 5-15-07

State of Idaho)
 County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 15 of May 2007



Dallas Ward

Notary Public

Residing at Perique, Idaho, Bingham County

My commission Expires 9-7-07