

CITY
RECEIVED

DEC 03 2007

DEPARTMENT OF
WATER RESOURCES

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 77-10133
) (Insert water right number)
)

Case 39576

) STANDARD FORM 4
)
)

) MOTION TO FILE:
)

) ☐ LATE NOTICE OF CLAIM
)

) ☒ AMENDED NOTICE OF CLAIM
_____)

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

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

My name is BOBBY G. JENKINS

My address is P.O. Box 6, NORTH FORK, ID 83466

My phone number is: Work _____ Home (208) 865-2442

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

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

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ 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: State of Idaho Department of Water Resources in the amount of \$ _____.

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 _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:
Additional sources were not included in original
claim filed, but the sources have been historically
used with Yellow Jacket Creek.

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

PROVIDED documentation to Ken Knoblock VIA EMAIL.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Lemhi

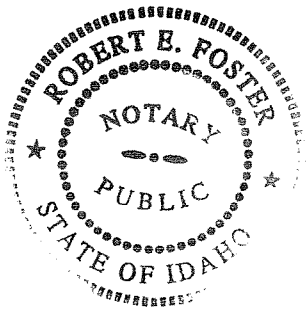
Bobby G. Jenkins, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Bobby G. Jenkins
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 11-29-2007.
(Insert Date)



Robert E. Foster
Notary Public for _____
Residing at: _____
My Commission expires: _____

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Nov 29th, ²⁰⁰⁷189, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

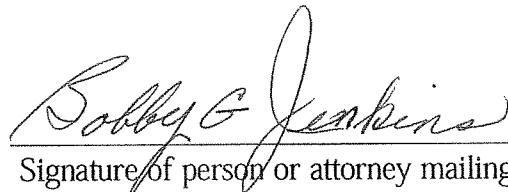
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

(Insert Names/address of parties)


Signature of person or attorney mailing the form

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 77-10133
Date Received: 5/14/1990
Receipt No: C016821
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BOBBY G JENKINS TRUST Phone: (208)865-2442

PO BOX 6
NORTH FORK ID USA 83466

RECEIVED

DEC 03 2007

DEPARTMENT OF
WATER RESOURCES

2. Date of Priority: 05/20/1862

B.G.J.
Mea Low Creek

3. Source: YELLOW JACKET CREEK , YELLOW JACKET CREEK , SPRING , SPRING , ANDERSON
GULCH , SLAUGHTERHOUSE GULCH CREEK , YELLOW JACKET CREEK , YELLOW JACKET CREEK ,
SLAUGHTERHOUSE GULCH CREEK Trib. to: SALMON RIVER MIDDLE FORK, SALMON RIVER MIDDLE
FORK, YELLOWJACKET CREEK , YELLOWJACKET CREEK , YELLOW JACKET CREEK , YELLOW JACKET
CREEK , SALMON RIVER MIDDLE FORK, SALMON RIVER MIDDLE FORK, YELLOW JACKET CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	17E	8	SW SE	LEMHI	
19N	17E	8	SW SE	LEMHI	
19N	17E	8	NE NW	LEMHI	
19N	17E	8	SW SE	LEMHI	
19N	17E	17	NW NW	LEMHI	
19N	17E	17	NW NW	LEMHI	
19N	17E	8	NW SE	LEMHI	
19N	17E	17	NE NW	LEMHI	
19N	17E	17	NW NW	LEMHI	

5. Description of diverting works:

INSTREAM; DIVERSION BY PUMP; EARTHEN DIVERSION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	10/15	1.6	
STOCKWATER	3/01	11/15	0.02	
DOMESTIC	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
1.6 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
19N	17E	8	NW	SE	IRRIGATION	25
			SE	SW	IRRIGATION	23
			SW	SE	IRRIGATION	1
			SW	SW	IRRIGATION	15
			SE	SW	STOCKWATER	
			NW	SE	STOCKWATER	
			SW	SE	STOCKWATER	
			SW	SW	STOCKWATER	
			NW	SE	DOMESTIC	
					Section Acres	64
19N	17E	17	NW	NW	DOMESTIC	
			NW	NW	STOCKWATER	
			NW	NW	IRRIGATION	16
					Section Acres	16
					Total Acres	80

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

INSTREAM USE FOR STOCKWATER. DIVERSION BY PUMP FOR DOMESTIC USE. EARTHERN
DIVERSION FOR GRAVITY IRRIGATION SYSTEM.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am BOBBY G. JENKINS of _____ Title

BOBBY G. JENKINS TRUST that I have signed the foregoing Organization

document in the space below as TRUSTEE of Title

BOBBY G. JENKINS TRUST and that the statements contained in the Organization

foregoing document are true and correct. Bobby G. Jenkins Signature of Authorized Agent

TRUSTEE BOBBY G. JENKINS TRUST Title and Organization

11/29/2007 Date

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this

of Nov 2007



29th Day
Robert E. Foster Notary Public

Residing at Salmon Id

My commission Expires 2-6-2013

Yellowjacket
Ranger Sta

SENE

7564

SWNW

SENW

SWNE

SENE

6400

NESE

NWSW

NESE

NWSE

NESE

6600

SPAIN

1/6/56

SESE

SWSW

SESW

SWSE

SESE

Yellowjacket

Yellow #3

Yellow #2

NENE

Yellowjacket
Ranch

NWNW

NENW

NWNE

NENE

6'06

Anderson

7000

SENE

SWNW

SENW

SWNE

SENE

6600

Griggs

NESE

NWSW

NESE

NWSE

NESE