

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 <u>43-13535</u>
	)	(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 Arimo Corporation; Attention: Christopher F. Robinson, President

My address is 925 West 100 North, Suite F, P. O. Box 540478, North Salt Lake, Utah, 84054

My phone number is: Work 801-599-4397 Home 435-615-8737

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:

We did not believe we needed to on domestic and stockwater
claims using less than 13,000 gallons per day

☐ 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.)

Please see the attached Affidavit of Robert J.
Lightfoot and Marilyn A. Lightfoot

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 \$ 100.00.
- ☐ 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 Tuesday, March 18th, 2008, at 1:30 p.m.
(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:

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

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 Utah

County of Davis

Christopher F. Robinson, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

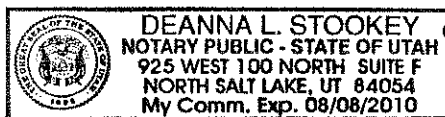
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that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

Christopher F. Robinson

Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on NOVEMBER 15, 2007.
(Insert Date)



Deanna L. Stookey

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 DECEMBER 7, 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
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)

Deanna L. Steekey
Signature of person or attorney mailing the form

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 43-13535

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

1. Name of Claimant(s) ARIMO CORPORATION Phone () 801-677-6400

Mailing Address P.O. Box 540478, North Salt Lake, UT 84054

2. Date of Priority: (Only one per claim) 06/27/1972 Month/Day/Year

3. Source of water supply (Check one) Ground Water ☒ or Other () (a) _____

which is tributary to (b) _____

4. Location of Point of Diversion is: Township 15 S, Range 27 E, Section 5
SW, 1/4 of NW, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of Cassia

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

Water is pumped from an 8" diameter, 275' deep well, into a bladder tank to pressurize it. It is then convey thru pipes.

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

For Domestic purposes from 1/1 to 12/31 amount .08 (cfs)

For Stock Water purposes from 1/1 to 12/31 amount .02

7. Total Quantity claimed .10 (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 for 10 head of horses and/or beef cattle; Domestic for two homes

10. Location of Place of Use is: Township 15 S, Range 27 E, Section 5,
NW, 1/4 of SW, 1/4, Govt. Lot _____, BM.

for (Circle One) Domestic Stock Domestic and Stock
 Additional places of use, if any NE 1/4 SE 1/4, Sect 6, T 15 S, R 27 E, B.M.

11. Which county (ies) are lands listed above as place of use located? Cassia

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 _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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 X 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) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm that I am President

of Arimo Corporation, that I have signed the foregoing document in the space below as
Organization

President of Arimo Corporation
Title Organization

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent By: Christopher J. Robinson Date 11/27/2007

Title and Organization President, Arimo Corporation

State of ~~Idaho~~ Utah)
) SS.

County of Davis)

NOTARIZATION REQUIRED FOR EACH CLAIM

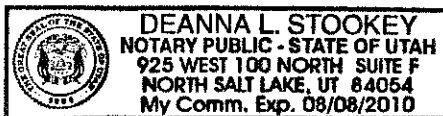
Subscribed and sworn (or affirmed) before me this 27th day of NOVEMBER 2007

Notary Public Deanna L. Stookey

Residing at _____

My commission Expires _____

Seal



Last Name _____ Identification No. _____

AFFIDAVIT OF ROBERT J. AND MARILYN A. LIGHTFOOT

STATE OF IDAHO)
 : ss.
COUNTY OF CASSIA)

ROBERT J. LIGHTFOOT AND MARILYN A. LIGHTFOOT, husband and wife, being
first duly sworn upon their oath, depose and say:

1. We are, respectively, 70 and 66 years of age and we are currently residents of
Malta, Cassia County, State of Idaho.

2. In approximately November, 1971, we moved to Bridge, Cassia County, Idaho,
and commenced working for Carl Miles and Jed Van Kampen, who at the time were doing
business as a partnership known as MV Ranches. We continued to work on the ranch until
approximately June, 1976. We raised and trained livestock and did other farm work for MV
Ranches.

3. At the time of our employ, MV Ranches owned and operated farmland and improvements in Sections 5 and 6, Township 15 South, Range 27 East, Boise Meridian.

4. In July, 1972, the old "Strevell Hotel" was relocated from Strevell, Utah, to the MV Ranches farmstead and located in the SE1/4 of the NW1/4 of the SE1/4 of Section 6, Township 15 South, Range 27 East, Boise Meridian, and was converted into a single family residence. The home presently has an address of 2666 South Highway 81, Malta, ID, 83342.

5. In February, 1972, a double-wide mobile home was set up as a single family residence in the SW1/4 of the NW1/4 of the SW1/4 of Section 5, Township 15 South, Range 27 East, Boise Meridian.

6. In June, 1972, MV Ranches employed a Mr. Lloyd Hayden of Rupert, Idaho, a well driller in the State of Idaho, to drill and complete an 8" diameter, 275' deep well located in the SW1/4 of the NW1/4 of the SW1/4 of Section 5, Township 15 South, Range 27 East, Boise Meridian (immediately west of the doublewide mobile home referenced in paragraph 5

above), which well was erroneously reported on the Well Driller's Report attached as Exhibit "A" hereto as being located in the SW1/4 of the NE1/4 of said Section 5. The well was completed on June 27th, 1972, and it provided domestic water to two residences described in paragraphs 4 and 5 above, as well as stock water for approximately 10 head of horses and/or beef cattle.

DATED this 5 day of December, 2007.


Robert J. Lightfoot


Marilyn A. Lightfoot

SUBSCRIBED AND SWORN to before me this 5th day of December, 2007.

Sherrie Erickson

Notary Public

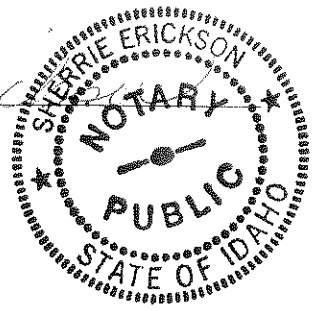


EXHIBIT 'A'

WELL DRILLER'S REPORT

[see attached]

USE TYPEWRITER OR
BALL POINT PENState of Idaho
Department of Reclamation

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

1. WELL OWNER Name <u>M V Ranch</u> Address <u>Bridge Lake Rd</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>78</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Baller ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Discharge G.P.M.	Draw Down	Hours Pumped																																																													
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock	9. LITHOLOGIC LOG 43206 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr><td>8"</td><td>0</td><td>6</td><td>Topsoil & Gravel</td><td> </td><td> </td></tr> <tr><td>"</td><td>6</td><td>38</td><td>Gravel water</td><td> </td><td> </td></tr> <tr><td>"</td><td>38</td><td>72</td><td>BROWN SANDY CLAY</td><td> </td><td> </td></tr> <tr><td>"</td><td>72</td><td>102</td><td>BROWN SAND</td><td> </td><td> </td></tr> <tr><td>"</td><td>102</td><td>148</td><td>BROWN SANDY CLAY</td><td> </td><td> </td></tr> <tr><td>"</td><td>148</td><td>160</td><td>Red Gravel & Sand</td><td> </td><td> </td></tr> <tr><td>"</td><td>160</td><td>185</td><td>BROWN SAND</td><td> </td><td> </td></tr> <tr><td>"</td><td>185</td><td>210</td><td>BROWN SANDSTONE</td><td> </td><td> </td></tr> <tr><td>"</td><td>210</td><td>275</td><td>Gravel</td><td> </td><td> </td></tr> </tbody> </table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	8"	0	6	Topsoil & Gravel			"	6	38	Gravel water			"	38	72	BROWN SANDY CLAY			"	72	102	BROWN SAND			"	102	148	BROWN SANDY CLAY			"	148	160	Red Gravel & Sand			"	160	185	BROWN SAND			"	185	210	BROWN SANDSTONE			"	210	275	Gravel		
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other	10. Work started <u>11/12/07</u> finished <u>11/27/07</u>																																																																
6. WELL CONSTRUCTION Diameter of hole <u>8</u> inches Total depth <u>275</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> <th>Feet</th> </tr> </thead> <tbody> <tr><td><u>1/4"</u></td><td><u>8 5/8"</u></td><td><u>0</u></td><td><u>210</u></td><td><u>210</u></td></tr> <tr><td><u>1/4"</u></td><td><u>6 3/8"</u></td><td><u>210</u></td><td><u>275</u></td><td><u>65</u></td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> Was a packer or seal used? ☒ Yes ☐ No Perforated? ☒ Yes ☐ No How perforated? ☒ Factory ☐ Knife ☐ Torch Size of perforation <u>1/8</u> inches by <u>3</u> inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> <th>Feet</th> </tr> </thead> <tbody> <tr><td><u>240</u></td><td><u>perforations</u></td><td><u>210</u></td><td><u>275</u></td></tr> <tr><td> </td><td><u>perforations</u></td><td> </td><td> </td></tr> <tr><td> </td><td><u>perforations</u></td><td> </td><td> </td></tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>20</u> feet Material used in seal ☐ Cement grout ☒ Pudding clay	Thickness	Diameter	From	To	Feet	<u>1/4"</u>	<u>8 5/8"</u>	<u>0</u>	<u>210</u>	<u>210</u>	<u>1/4"</u>	<u>6 3/8"</u>	<u>210</u>	<u>275</u>	<u>65</u>																										Number	From	To	Feet	<u>240</u>	<u>perforations</u>	<u>210</u>	<u>275</u>		<u>perforations</u>				<u>perforations</u>			11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>[Signature]</u> Driller or Field's Name <u>[Signature]</u> Number <u>[Signature]</u> Signed By <u>10/28/07</u> Date								
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5. LOCATION OF WELL Sketch map location must agree with written location. County <u>Cassia</u> <u>SE 1/4 NE 1/4 Sec. 5 T. 15 N. R. 27 E</u>	12. USE ADDITIONAL SHEETS IF NECESSARY																																																																