

RECEIVED

DEC 21 2007

DEPARTMENT OF
WATER RESOURCES

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

DEC 20 2007

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: 27-02049

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

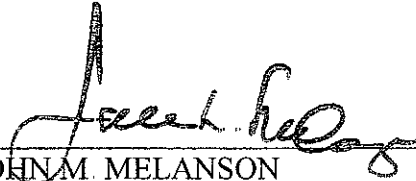
On September 6, 2007, Dennis Fransden filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on December 18, 2007. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this 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 December 20, 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 December 20, 2007, with sufficient first-class postage to the following:

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

DENNIS FRANSEN
900 ROCKY FORD RD
BANCROFT, ID 83217
Phone: 208-648-7735

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and extends slightly above and below the line.

LATE 100
FEE 100
ACRE 148
#348

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

RECEIVED

DEC 21 2007

DEPARTMENT OF
WATER RESOURCES

IDENI. NUMBER 27-2049

DATE RECEIVED: 8/31/2007

RECEIPT NO: C085574

RECEIVED BY: AMB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO
FILED
2007 SEP 6 PM 10 57

1. NAME OF CLAIMANT(S)

DENNIS FRANDSEN PHONE: (208) 648-7735

900 ROCKY FORD RD
BANCROFT ID USA 83217

2. DATE OF PRIORITY: 06/18/1915

3. SOURCE: RAWLINS CREEK , HORSE CREEK , RAWLINS CREEK , HORSE CREEK TRIB. TO:
BLACKFOOT RIVER , BLACKFOOT RIVER , BLACKFOOT RIVER , BLACKFOOT RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY TYPE
03S	39E	27	SE	NW	BINGHAM
03S	39E	26	NW	NW	BINGHAM
03S	39E	27	SW	NE	BINGHAM
03S	39E	26	NW	NW	BINGHAM

5. DESCRIPTION OF DIVERTING WORKS:

DITCHES TO FLOOD

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR) A.F.A
IRRIGATION		04/01	10/31 2.4	
STOCKWATER		04/01	10/31 0.02	

7. TOTAL QUANTITY APPROPRIATED IS:
2.4 C.F.S.

8. TOTAL CONSUMPTIVE USE:

9. NON-IRRIGATION USES:

NUMBER OF OTHER USES: 200

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION 1/4 OF 1/4	LOT	USE	ACRES	
03S	39E	27	NE	NE	IRRIGATION	21
			NW	NE	IRRIGATION	12
			SW	NE	IRRIGATION	14
			SE	NW	IRRIGATION	6.8
			NE	SW	IRRIGATION	20
SECTION ACRES					73.8	
TOTAL ACRES					73.8	

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:

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. & DISTRICT.

SOURCES ARE RAWLINGS CK. & HORSE CK.

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:

2

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):

[Signature]

DATE: Aug 31 2007

DATE:

STATE OF IDAHO

COUNTY OF Bonneville) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

31 OF Aug 2007

[Signature]

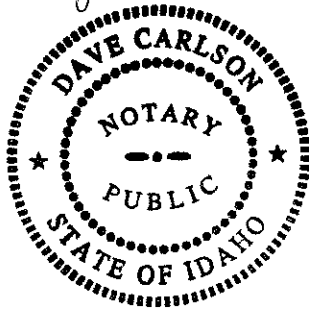
NOTARY PUBLIC

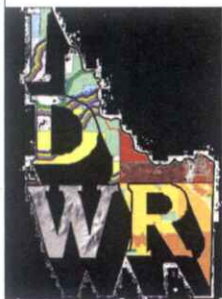
RESIDING AT

Rigby, Id

MY COMMISSION EXPIRES

2/26/2008





Idaho Department of Water Resources

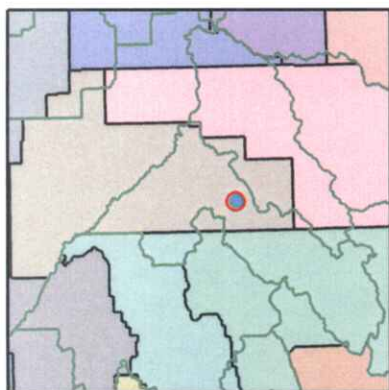
SRBA Claim:

27-2049

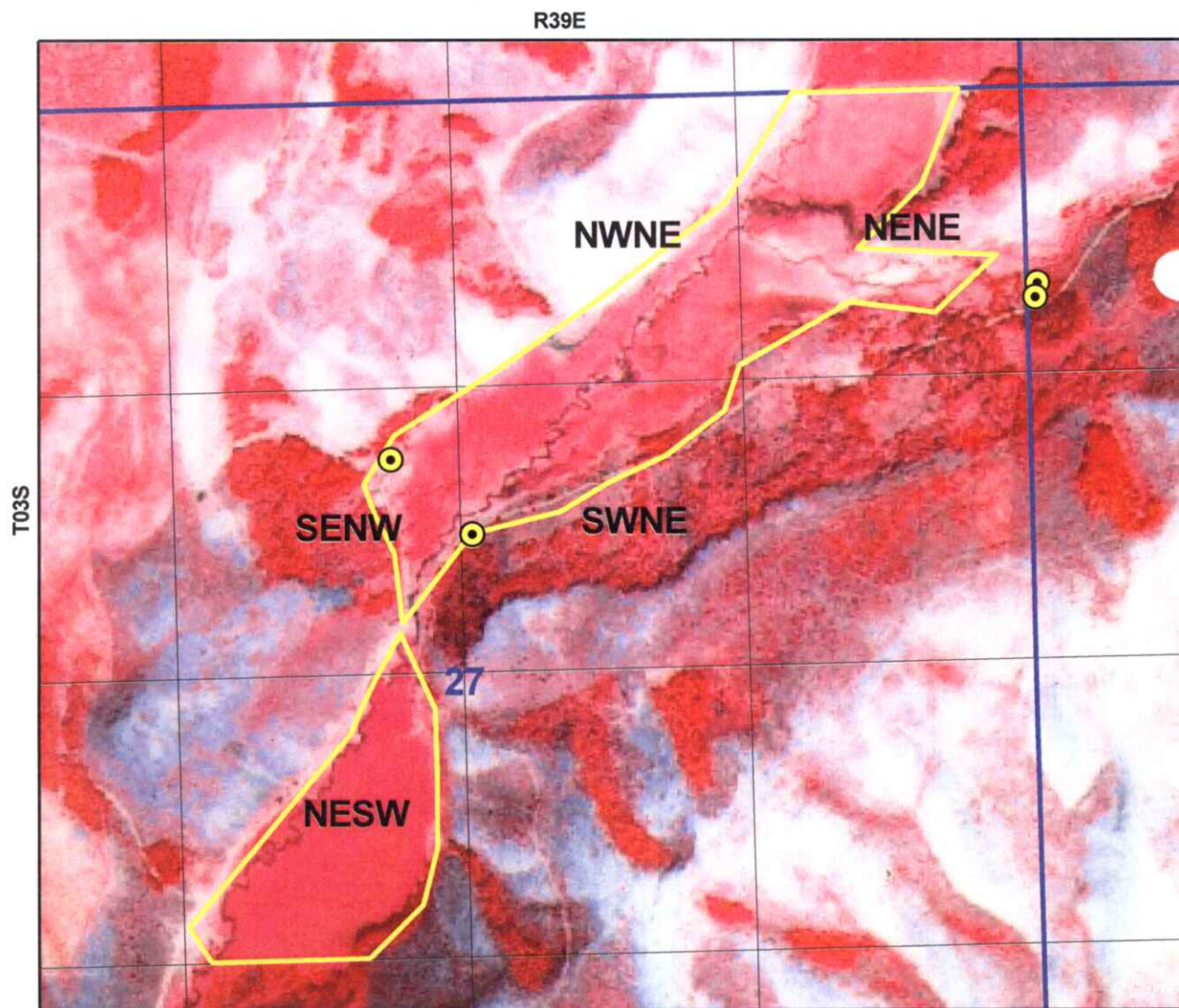
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Bingham County
IDWR Basin 27



0 0.3 0.6 Miles

Prepared by D. Carlson
On Friday, August 31, 2007
1987/88 Aerial Photography

State of Idaho License and Certificate of Water Right

Water License No. 11355
Water District No. 34

Amount 2.4 sec. ft.
Priority June 18, 1915

THIS IS TO CERTIFY that LEWELLA FRANSSEN,
of Basalt, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 18, 19 15; that Permit No 11355
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2
second feet, was issued thereunder on July 17, 1919, showing that said works
were completed on the 15th day of July, 1919; and that on the 15th
day of June, 19 20,

LEWELLA FRANSSEN,
of Basalt, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation (1) Sawlings Creek 1.2 ft.
~~State Engineer~~ of Idaho, of a right to the use of the waters of (2) Horse Creek 1.2 "
a tributary of -----, for the purpose of irrigation & domestic use,
under Use Permit No 11355 of the State Engineer, and that said right to the use of said
waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the ~~State~~
~~Commissioner of Reclamation~~
~~Engineer~~ of Idaho and entered of record in Volume 5 of Licenses, at page 2669, on the 23rd
day of September, 19 20;

The right hereby confirmed dates from June 18, 19 15;

The Point of Diversion is located
in the (1) NE SE 22
(2) NW 1/4 NW 1/4, Sec. 26, T. 3 S., R. 39 E., B. M.
County of Bingham.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 2.4 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 S	39 E	27	NW <u>1/4</u> NE <u>1/4</u>	40	30
			NE <u>1/4</u> NE <u>1/4</u>	40	30
			SW <u>1/4</u> NE <u>1/4</u>	40	30
			SE <u>1/4</u> NW <u>1/4</u>	40	30

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation
~~State Engineer~~, affixed at Boise, Idaho, this 23rd
day of September, 19 20.

W. G. SWEDSEN,
Commissioner of Reclamation ~~State Engineer~~
By S. T. BAER,
Deputy.

(SEAL)