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DEC 21 2007
DEPARTMENT OF
WATER RESOURCES

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

DEC 20 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

Case No. 39576

Subcase: 35-13639

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On September 13, 2007, Neal D. Ward, Shelly Ward, Viola J. Ward and DeLoy Z. Ward, by and through counsel, Robert L. Harris, 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:

DE LOY Z WARD

NEAL D WARD

SHELLY WARD

VIOLA J WARD

Represented by:

ROBERT L HARRIS

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 35-13639
Date Received: 8/16/2007
Receipt No: 2085676
Received By: TG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NEAL D WARD Phone: (208)356-5190
1305 S 2 E
REXBURG ID USA 83440

SHELLY WARD Phone: (208)356-5190
1305 S 2 E
REXBURG ID USA 83440

VIOLA J WARD Phone: (208)356-5190
1305 S 2 E
REXBURG ID USA 83440

DE LOY Z WARD Phone: (208)356-5190
1305 S 2 E
REXBURG ID USA 83440

2007 SEP 13 AM 10 24
FILED
DISTRICT COURT - 5th JUDICIAL
TWIN FALLS CO., IDAHO

2. Date of Priority: 04/01/1987

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	34E	26	NE SW NW	BINGHAM	
01S	34E	26	NE SW NW	BINGHAM	
01S	34E	35	NW SW NW	BINGHAM	
01S	34E	35	SW NW	BINGHAM	
01S	34E	35	SW SW NE	BINGHAM	
01S	34E	35	SW SW NE	BINGHAM	

5. Description of diverting works:

Interconnected wells to mainline to irrigate all land.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.51	104

7. Total Quantity Appropriated is:
0.51 C.F.S. and/or 104 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	34E	26	NW	NW	IRRIGATION	25
					Section Acres	25
					Total Acres	25

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:

This right is for an enlargement of 25 acres within the place of use described for this right.

Right Nos. 35-2314, 35-2441, 35-13601 and 35-13639 are limited to a total combined diversion rate of 10.5 cfs and to a total combined annual diversion volume of 2428 AF.

The rights listed below are limited to the irrigation of a combined total of 656 acres in a single irrigation season. Combined Right Nos.: 35-2314, 35-2441, 35-13601, 35-13639.

This right is based upon an enlargement of Right Nos. 35-2314 and 35-2441 pursuant to Section 42-1426, Idaho Code.

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

The following rights are also diverted through point of diversion described above: 35-2314, 35-2441, 35-13601.

IN TEMPORARY STATUS AWAITING THE COURTS APPROVAL.

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

Number of attachments: _____

For Individuals:

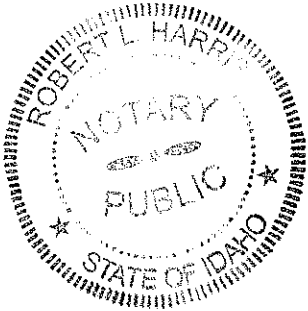
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Neal D. Ward Date: 8.23-07

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of August 2007



Robert L. Harris
Notary Public

Residing at Ammon, ID

4W FARMS



Legend

- 4W_Water_Rights
- Property_Line
- Enlargement_Acres
- Township_Lines
- Section_Lines
- Quarter-quarters

Prepared by:
Robert L. Harris
March 20, 2007
2006 Photo

