

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 18 2008	
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: 74-15794

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On October 10, 2007, Robert G. Barningham filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on January 15, 2008. 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 January 18, 2008.



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 January 18,
2008, with sufficient first-class postage to the following:

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

ROBERT G BARNINGHAM
10 BEEHIVE LN
SALMON, ID 83467
Phone: 208-756-4630

ORDER

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FILE COPY FOR 00902

Deputy Clerk

A handwritten signature in cursive script, appearing to read "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 74-15794
Date Received: 7/20/2007
Receipt No: *CO85740 & CO85741*
Received By: *KAW*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT G BARNINGHAM Phone: (208)756-4630

10 BEEHIVE LN
SALMON ID USA 83467

2. Date of Priority: 12/31/1982

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	23E	33	NW NW	LEMHI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

2007 OCT 10 11:11 AM
FILED
TWIN FALLS CO. IDAHO
DISTRICT COURT

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	24	SE	SE	IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

Right Nos. 74-605A and 74-15794 are limited to a total combined diversion rate of 0.04 cfs.

Right Nos. 74-605A and 74-15794 are limited to the irrigation of a combined total of 4 acres in a single irrigation season.

This right is for an enlargement of 2.5 acres within the place of use described for this right.

This right is based upon an enlargement of Right No. 74-605A 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.

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: _____

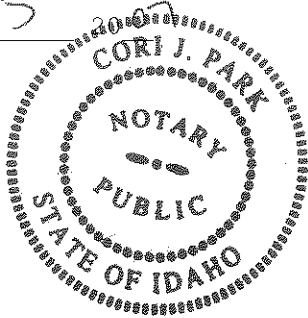
For Individuals:

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

Signature of Claimant(s): Robert J. Bingham Date: 10/5/07
M. L. Cunningham Date: 10-5-07
Oct 5, 2007 Date: _____

State of Idaho)
County of Lenah) SS.

Subscribed and sworn (or affirmed) before me this
of Oct 5



[Signature]
Notary Public
Residing at Salmon, ID
My commission Expires 8-2-2016