

JAN 18 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Clerk
Deputy Clerk

In Re SRBA

Subcase: 75-14479

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On October 9, 2007, Robert and Carrie Archie, by and through counsel, Kent W. Foster, 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

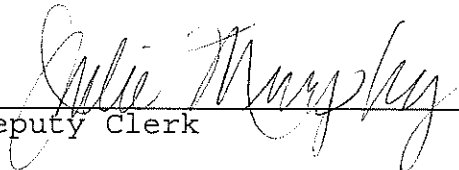
Presiding Judge
Snake River Basin Adjudication

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:

CARRIE L ARCHIE
ROBERT B ARCHIE
Represented by:
KENT W FOSTER
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



Receipt Number C085737

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

- [illegible]

11. In which county(ies) are lands listed above as place of use located? Lemhi

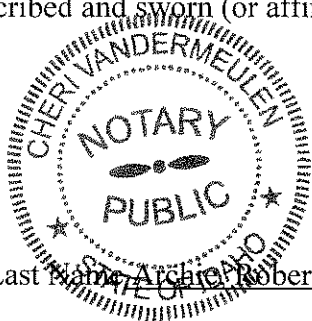
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ($\sqrt{\quad}$)

16. Signature(s)

Signature of Claimant(s) Robert B. Carmichael Date 10/5/07

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 5 day of October, 2007.



Cheri Undermeile
Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission Expires: July 7, 2009

Last Name Archib, Robert B. & Carrie L. Ident. Number 75-14479

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Kent W. Foster

Address: PO Box 50130, Idaho Falls, ID 83405-0130

Date 10/5/07

G:\WPDATA\KWF\2481 Becker\CLAIM.wpd:cdv



Idaho Department of Water Resources

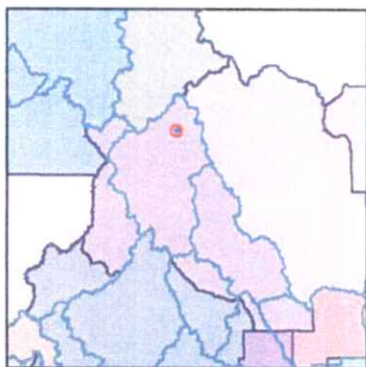
SRBA Recommendation:

75-14132

(Irrigation)

Legend

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

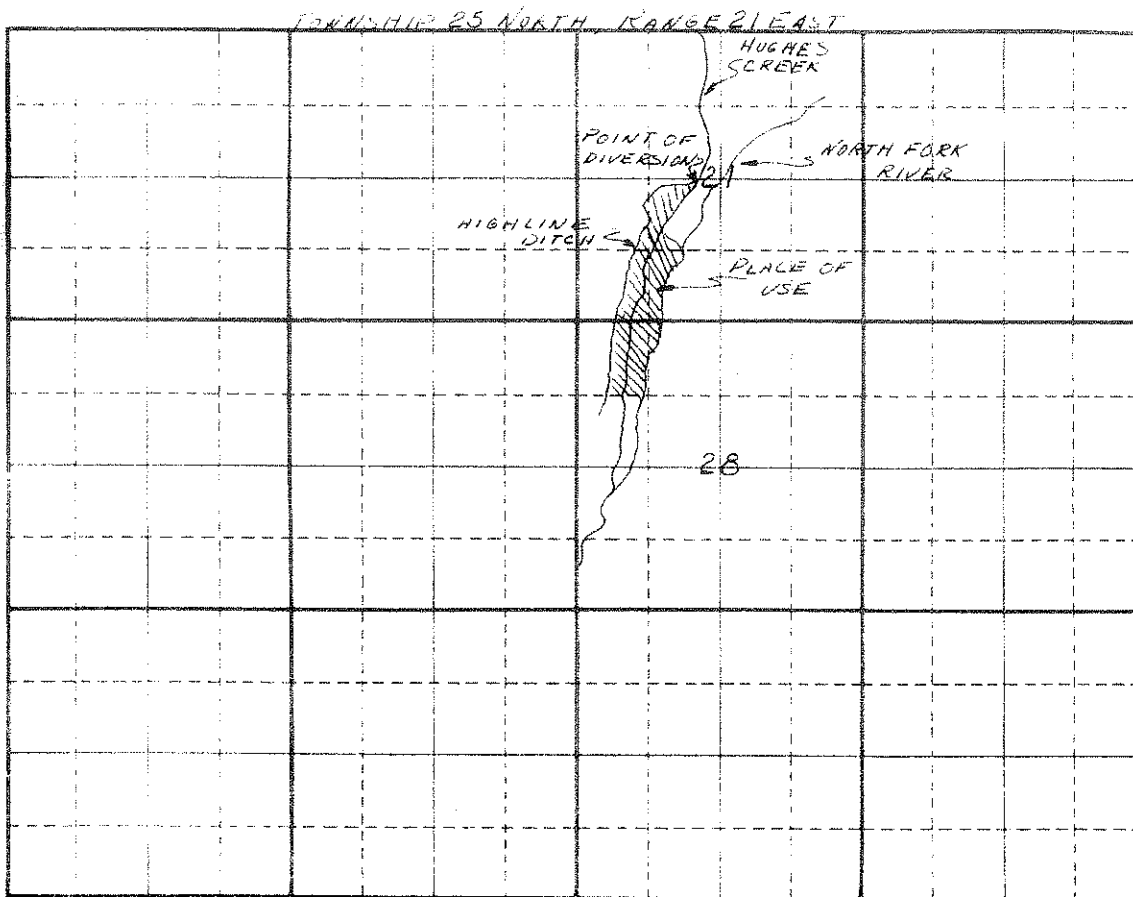


Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles

Prepared by K. Jackson
On Thursday, December 7, 2006
2004 Aerial Photography



Scale: 2 inches = 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of BONNEVILLE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 11th day of NOVEMBER

(Claimant)

19 82

Notary Public

Residing at IDAHO FALLS

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by <u>1</u>	Date <u>11/11/82</u>	Exception filed by	Forwarded to	Date
Refund check by <u>SD</u>	Date <u>11/11/82</u>		Claimant by	
\$20.00 fee received by <u>1</u>	Date <u>11/11/82</u>			
Published in <u>IDAHO FALLS</u>				
Dates <u>11/11/82</u>				

GRANT DEED

THIS INDENTURE is made this 30 day of December, 2002, between Daryl A. Becker Estate, Robert E. Farnam, Personal Representative of Idaho Falls, County of Bonneville, State of Idaho, the "Grantor", and Robert B. Archie and Carrie L. Archie, Husband and Wife, as joint tenants with right of survivorship, whose mailing address is 13155 Thomas Creek Road, Reno, Nevada 89511, the "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantee, and to Grantee's heirs and assigns forever, all of the following described property in the County of Lemhi, State of Idaho, to-wit:

Lot 5 of Becker Estates, according to the official plat thereof, filed in Book 6 of Plats, at Page 39, and amended in Book 6 of Plats, at Page 39B, official Records of Lemhi County, Idaho

SUBJECT TO all real property taxes and assessments, all existing patent reservations, easements, rights of way, protective covenants and other matters of record, all applicable zoning ordinances, building codes, laws and regulations, and all encroachments, overlaps, boundary line disputes, claims of easements and other matters that would be disclosed by an accurate survey or inspection of the property.

ALSO SUBJECT TO easements, reservations, restrictions and dedications as the same appear on the official plat of Becker Estates.

ALSO SUBJECT TO notification of irrigation ditch easement as described on Becker Estates according to the official plat recorded April 5, 1996, in Book 6 at Page No. 39, Records of Lemhi County, Idaho.

ALSO SUBJECT TO road and ditch easement running across the westerly boundary of the above described real property as shown on the Becker Estate Subdivision plat recorded April 5, 1996, in Book 6 of plats at Page No. 39.

ALSO SUBJECT TO terms and conditions contained in Grant Deed for Road Easement recorded November 5, 1986, under Instrument No. 183030, records of Lemhi County, Idaho.

ALSO SUBJECT TO terms and conditions contained in License Agreement for access recorded October 17, 1995, as Instrument No. 227765, records of Lemhi County, Idaho.

ALSO SUBJECT TO any right, interests or easements in favor of the public which exist or are claimed to exist over any part of said land covered by water that is included within the boundaries of Hull Creek or the North Fork of the Salmon, River.

ALSO SUBJECT TO the right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads and or highways, dedicated and or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.

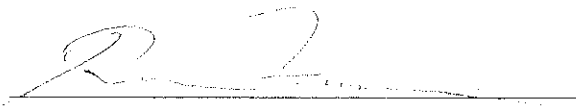
ALSO SUBJECT TO restrictive covenants appearing of record under Instrument No. 230815 and re-recorded May 22, 2002, under Instrument No. 250584, records of Lemhi County, Idaho, for the purpose of adding legal description.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantee's heirs and assigns forever.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor has executed the within instrument the day and year first above written.


Robert E. Farnam, Personal Representative of the
Daryl A. Becker Estate, Seller

State of Idaho)
County of Lemhi) SS No. 250584

This Instrument was filed for record at the request
of alliance

at 3:10 o'clock pm 30 Dec 2002

and duly filed and indexed in the records of Lemhi
County

Tami J. Morton
Ex-Officio Recorder

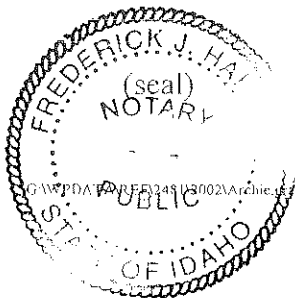
By K. Baument Deputy
Fee 9.00

STATE OF IDAHO)
)ss.
County of Bonneville)

250894

On the 6th day of December, 2002, before me, the undersigned, a notary public in and for said State, personally appeared **Robert E. Farnam**, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Daryl A. Becker and acknowledged to me that he executed the same as such Personal Representative.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

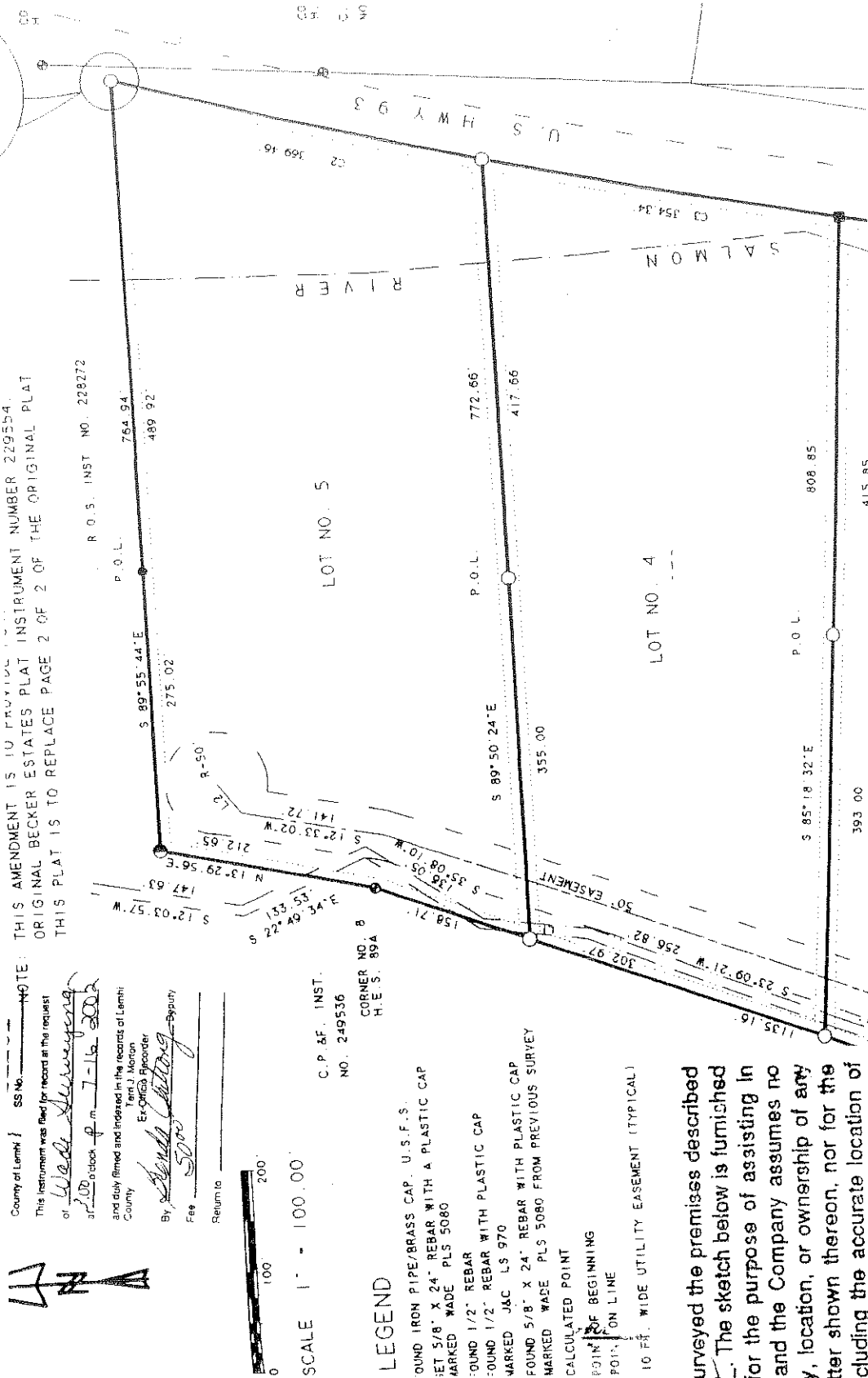




Notary Public for Idaho

Residing at Idaho Falls, Idaho

My Commission Expires: 11/1/2005



The Company has not surveyed the premises described in 02-1466 L.S. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, location, or ownership of any easement or other matter shown thereon, nor for the inaccuracies therein, including the accurate location of boundaries, including water boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.