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FEB 27 2008

DEPARTMENT OF
WATER RESOURCES

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

FEB 26 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: 84-12243

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

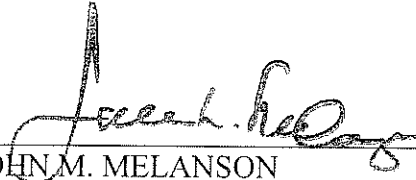
On November 5, 2007, Tod Matthew Sween filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 19, 2008. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to 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 February 26, 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 February 26, 2008, with sufficient first-class postage to the following:

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

TOD MATTHEW SWEEN
3220 UPPER FORDS CREEK RD
OROFINO, ID 83544
Phone: 208-476-3453

ORDER

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FILE COPY FOR 00178

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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 84-12243

Date Received: _____

Receipt No: _____

Received By: _____

County of Twin Falls - 5

NOV - 5 1988

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

Deputy Clerk

1. Name of Claimant(s) Tod Matthew Sween Phone (208) 476-3453Mailing Address 3220 Upper Fords Creek Rd, Orofino ID Zip 83544
Street or Box City State2. Date of Priority: (Only one per claim) August 24, 1988
Month/Day/Year (YYYY)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 36 N, Range 2 E, Section 23,
NE, 1/4 of NW, 1/4 or Govt. Lot _____, BM., County of Clearwater; Parcel (PIN) No. RP36N02E232402A

Additional points of diversion if any: _____

If available, GPS Coordinates _____

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.

well, 150 ft depth, drilled August 24, 1988

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 0.04 cfs
Month/Day Month/Day (cfs) or (AFA)For Stockwater purposes from 1-1 to 12-31 amount 0.02 cfs7. Total Quantity claimed 0.06 cfs (cfs) or (AFA)8. Non-irrigation uses. Describe fully. (eg. Domestic: Give number of households served if single ownership;
Stockwater: Type and number of livestock) Domestic - 1 householdstockwater - 18 goats, 20 sheep, 46 poultry, 2 hogs4 head range cattle, 4 horses, 1 donkey

9. Location of Place of Use is: Township 36N, Range 2E, Section 23,
NE, 1/4 of NW, 1/4, Govt. Lot _____, BM.; Parcel (PIN) No. _____

for (Circle One) **Domestic** **Stock** **Domestic and Stock**
 Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes (☒) No ()
 If the answer is No, describe in Remarks below the authority you have to claim this water right.
 12. Describe any other water rights used at the same place and for the same purposes as described above.

None () water right No A84-07174

13. Remarks:

14. 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 _____

15. 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date: 10/26/07
 _____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
 Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
 Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, _____, 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 [Signature] Theresa K. Adams
Notary State of Idaho
EXP 03/24/09

Address _____

Date _____

Last Name _____ Identification No. _____

