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MAR 11 2008

DEPARTMENT OF
WATER RESOURCES

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 63-3560
	)
	)
Case 39576	) STANDARD FORM 4
	)
	) MOTION TO FILE:
	) ☒ LATE NOTICE OF CLAIM
	) ☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Ronald K. Dodd

My address is 1221 E. Lewis Ln., Nampa, ID 83686

My phone number is: Work (208) 989-8343 Home (208) 463-0525

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because: **I acquired the property in 2004 and was unaware a claim to this water right had not been submitted in the SRBA.**

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.) **I am attaching a copy of License and Certificate of Water Right #G-33312, which is now numbered 63-3560 in the records of IDWR.**

I have attached:

☒ A fully completed Notice of Claim (available from IDWR).

☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-

4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have previously paid for the claim in the amount of \$ 274.00 (see State of Idaho Department of Water Resources receipt #C086136, attached).

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on **Tuesday, June 17, 2008 at 1:30 pm**
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Canyon

Ronald K. Dodd, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Ronald K Dodd
Signature of person filing motion

Subscribed and sworn to before me on 22nd day February 2008

(Insert Date)

Jessi P Sarno
Notary Public for Idaho, Canyon County

Residing at: Caldwell

My Commission expires: 10/05/2012

JPS

License and Certificate of Water Right

Water License No. G-33312 Priority November 1, 1966 Amount 0.74 c.f.s.

THIS IS TO CERTIFY that BRUCE MARTIN

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 1, 1966; that Permit No. G-33312 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.74 second feet, was issued thereunder on January 26, 1968, showing that said works were completed on the 14 day of July, 1967; and that on the 14 day of July, 1967 BRUCE MARTIN

of Nampa, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of subterranean flow for the purpose of irrigation, under Use Permit No. G-33312 of the Department of Reclamation, 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 Reclamation Engineer of Idaho and entered of record ~~in~~ ~~Volume~~ ~~of~~ ~~Records~~ ~~at~~ Page G-33312 on the 26 day of January, 1968.

The right hereby confirmed dates from November 1, 1966.

The Point of Diversion is located

in the NE 1/4, NE 1/4, Sec. 15, Twp. 2 N, R. 2 W, B.M. Canyon County.

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 0.74 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N	2 W	15	NE 1/4 NE 1/4	40	37
			Total number acres irrigated:		37

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 State Reclamation Engineer, affixed at Boise, Idaho, this 26 day of January, 1968.

R. Keith Higgins
State Reclamation Engineer.

33312

Idaho Department of Water Resources Receipt

Receipt ID: C086136

Payment Amount	\$274.00	Date Received	3/3/08 2:04	Region	STATE
Payment Type	Check	Check Number	1005		
Payer	DODD INVESTMENTS LLC				

Comments Claim Filing Fee and Late Claim Fee

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$274.00	ADJUDICATION FILING FEE	0337		41503	1155

Signature Line (Department Representative)

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 3/10, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

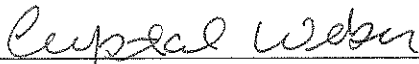
2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.



Signature of person or attorney mailing the form

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 63-3560
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Ronald K. Dodd Phone: (208)463-0525
1221 E. Lewis Ln.
Nampa, ID 83686

2. Date of Priority: November 1, 1966

3. Source: ground water Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	02W	15	NE NE	Canyon	

5. Description of diverting works: well and pump

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.74	

7. Total Quantity Appropriated is:
0.74 CFS

8. Total consumptive use: n/a

9. Non-irrigation uses: none

10. Place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	15	37																37

11. Place of use in counties: Canyon

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

13. Other Water Rights Used: Nampa & Meridian Irrigation District

14. Remarks:

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

Number of attachments: 1 (map)

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): Ronald K. Dodd Date: 2-22-08

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 22 of February 2008

Jessie P. Sams
Notary Public

Residing at Caldwell, Id

My commission Expires 10/05/2012

