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APR 10 2008

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

STATE OF IDAHO
Fifth Judicial District
County of Twin Falls - State of Idaho

APR - 9 2008

By _____

Deputy Clerk

Subcase: 23-00011D

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On October 10, 2007, Joseph L. Motes Jr. 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, and the matter was referred to Special Master Brigitte Bilyeu.

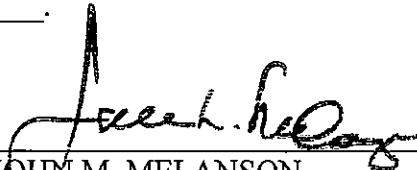
On April 8, 2008, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own. Because of the limited nature of the *Order of Reference* the Court finds no reason to delay entry of this *Order*.

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 April 9, 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 April 09, 2008, with sufficient first-class postage to the following:

MOTES REVOCABLE TRUST
C/O JOSEPH L MOTES JR
6608 VANDERBILT AVE
DALLAS, TX 75214
Phone: 214-826-4419

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

JOSEPH L MOTES
2828 E PINEHAVEN
ISLAND PARK, ID 83429
Phone: 208-558-7808



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 23-11D
Date Received: 8/28/2007
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MOTES REVOCABLE TRUST Phone: (214)826-4419
6608 VANDERBILT AVE
DALLAS TX USA 75214

2. Date of Priority: 08/15/1893

3. Source: PALISADES CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	44E	26	SW SE	BONNEVILLE	

5. Description of diverting works:

PALISADES CANAL TO DITCH FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.18	

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

8. Total consumptive use:

9. Non-irrigation uses:

2007 OCT 10 AM 11 45
FILED
TWIN FALLS CO. IDAHO
DISTRICT COURT - SRBA

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
01N	44E	21	SE	SW	2	IRRIGATION	0.3
			SW	SE	1	IRRIGATION	5.3
Section Acres							5.6
Total Acres							5.6

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

LATE CLAIM AWAITING ACCEPTANCE BY SRBA COURT.

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, ☒ We acknowledge that ☒ We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) ☒ We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

James S. Minter 2, Trustee
Casey H. Minter
Mother Revocable Trust

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am trustee of

Notes Revocable Trust Title
Organization that I have signed the foregoing

document in the space below as trustee of

Notes Revocable Trust Title
Organization and that the statements contained in the

foregoing document are true and correct. [Signature]
Signature of Authorized Agent

TRUSTEE, NOTES REVOCABLE TRUST
Title and Organization

8/28/07
Date

State of Idaho)
County of Bonnaville) SS.

Subscribed and sworn (or affirmed) before me this 28TH
of August 2007

[Signature]
Notary Public

Residing at Idaho Falls
My commission Expires 7-24-2007

