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APR 17 2008

DEPARTMENT OF
WATER RESOURCES

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

APR 16 2008

By

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

Subcase: 67-14918

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On February 14, 2008, Elmer Bacus filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on April 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 April 16, 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 16, 2008, with sufficient first-class postage to the following:

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

ELMER L BACUS
295 N TAYLOR ST
EAGLE, ID 83616
Phone: 208-939-6624

ORDER

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FILE COPY FOR 00525

Deputy Clerk

A handwritten signature in cursive script, reading "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 67-14918
Date Received: 10/23/2007
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ELMER L BACUS Phone: (208)939-6624
295 N TAYLOR ST
EAGLE ID USA 83616

2. Date of Priority: 03/01/1939

3. Source: UNNAMED STREAM , WASTE WATER Trib. to: HANSON CREEK , UNNAMED STREAM

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	02W	15	SE SE	ADAMS	
17N	02W	15	SE SE	ADAMS	

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	1.44	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
17N	02W	14	SW SW	IRRIGATION	25
			SE SW	IRRIGATION	8.9

					Section Acres	33.9
17N	02W	15	SE	SE	IRRIGATION	23
					Section Acres	23
17N	02W	22	NE	NE	IRRIGATION	15
					Section Acres	15
					Total Acres	71.9

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

The rights listed below are limited to the irrigation of a combined total of 71.9 acres in a single irrigation season. Combined Right Nos.: 67-4136B, 67-11228, & 67-14918

The rights listed below are limited to a total combined diversion rate of 1.44 cfs.
Combined Right Nos.: 67-4136B, 67-11228, & 67-14918

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

Number of attachments: _____

For Individuals:

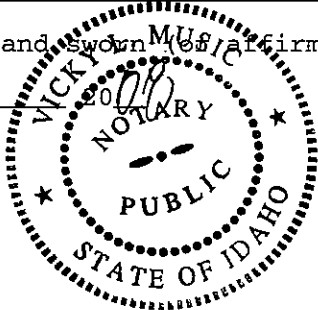
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Elmer Z Bacus Date: 1-14-08

Date: _____

State of Idaho _____)
County of Ada) SS.

Subscribed and sworn to (or affirmed) before me this
of 1/14



Vicki M. Smith
Notary Public
Residing at Boise, ID
My commission Expires 1-21-2012