

MAY 21 2008

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

By

Clerk
Deputy Clerk

In Re SRBA

Subcase: 35-13708

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

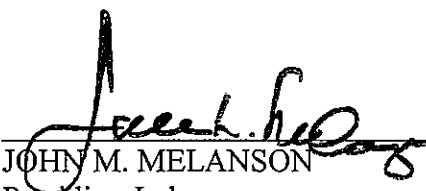
On February 21, 2008, Marilyn Berrett Henderson filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on May 20, 2008. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made 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 May 21, 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 May 21, 2008, with sufficient first-class postage to the following:

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

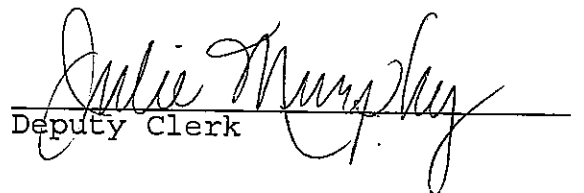
MARILYN BERRETT HENDERSON
2402 N SEVENOAKS PLACE
EAGLE, ID 83616
Phone: 208-939-5852

ORDER

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FILE COPY FOR 02235

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and extends slightly above and below the line.

100
100
160
\$360

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 35-13708
Date Received: 2/19/2008
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARILYN BERRETT HENDERSON Phone: (208) 939-5852

2402 N. SEVENOAKS PLACE
Eagle ID USA 83616

2. Date of Priority: 10/14/1975

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	36E	4	NW SW	JEFFERSON	

5. Description of diverting works:

1 pump 3 pivots and handlines

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	1.4	

7. Total Quantity Appropriated is:
1.4 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
04N	36E	4	SE	SW	IRRIGATION	40
					Section Acres	40
04N	36E	9	NE	NW	IRRIGATION	40
					Section Acres	40
					Total Acres	80

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

Right No. 35-07537 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.

This right is for an enlargement of 80 acres within the place of use described for this right.

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: 1

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): Margy W. Berrett Date: Feb. 19, 2008
Marilyn Berrett Henderson POA Date: _____

State of Idaho)
County of Bonneville) SS.

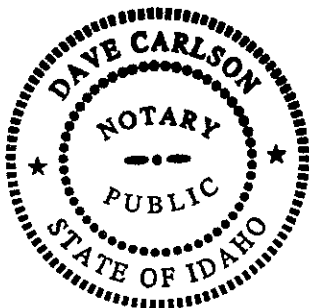
Subscribed and sworn (or affirmed) before me this
of Feb 19 2008

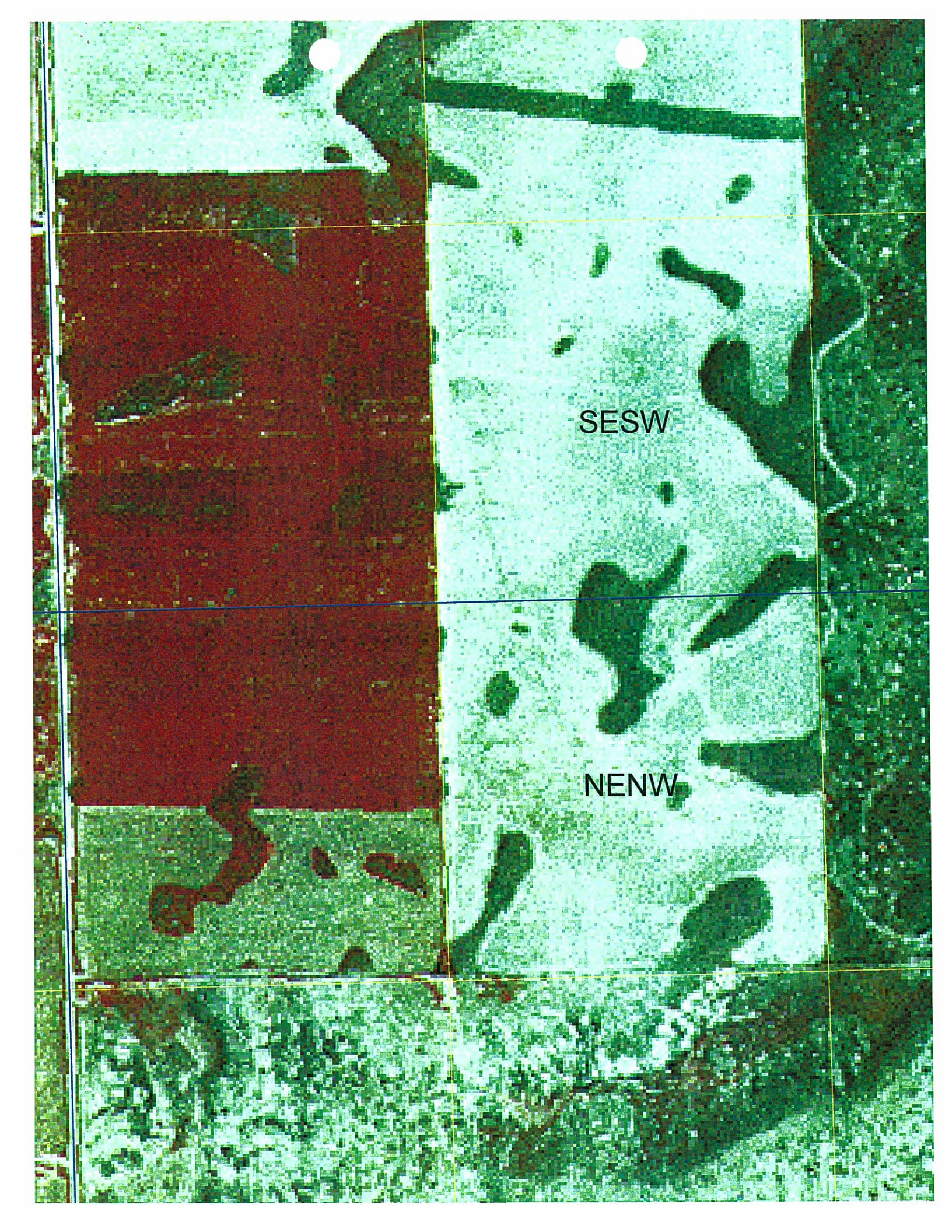
Dave Carlson

Notary Public

Residing at Rigby, ID

My commission Expires 2/26/2008





SESW

NENW