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JUN 19 2008

DEPARTMENT OF  
WATER RESOURCES

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

JUN 18 2008

By

Clerk

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 SRBA

Subcase: 47-17468

Case No. 39576

ORDER GRANTING MOTION TO FILE  
LATE NOTICE OF CLAIM

On February 5, 2008, Lonnie K. and Justine L. Wright filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on June 17, 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 June 18, 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 June 18, 2008, with sufficient first-class postage to the following:

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

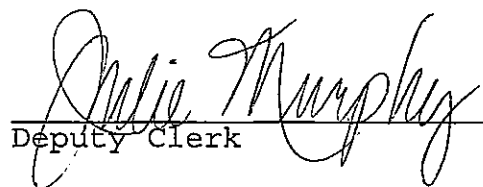
JUSTINE L WRIGHT  
LONNIE K WRIGHT  
1916 E 4300 N  
BUHL, ID 83316  
Phone: 208-543-8358

ORDER

Page 1 6/18/08

FILE COPY FOR 01123

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

**COPY**

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 47-17468  
Date Received: 1/4/2008  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

LONNIE K WRIGHT Phone: (208)543-8358  
JUSTINE L WRIGHT Phone: (208)543-8358  
1916 E 4300 N  
BUHL ID USA 83316

2. Date of Priority: 01/01/1912

3. Source: UNNAMED STREAM Trib. to: CEDAR DRAW

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County     | Type            |
|----------|-------|---------|-----------------------|------------|-----------------|
| 09S      | 15E   | 23      | SE SE SW              | TWIN FALLS | Beginning Point |
| 09S      | 15E   | 23      | NE SE SW              | TWIN FALLS | Ending Point    |

5. Description of diverting works:

in-stream stockwater use

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| STOCKWATER | 01/01 | 12/31 | 0.02   |            |

7. Total Quantity Appropriated is:

0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 52 cattle and horses

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|----------|-------|---------|----------------|------------|-------|
| 08S.     | 15E   | 23      | SE SW          | STOCKWATER |       |

2008 FEB 5 AM 10 11  
FILED  
DISTRICT COURT - SNAKE  
TWIN FALLS CO., IDAHO

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## IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 47-7981

12/26/2007  
**COPY**

WATER RIGHT NUMBER: 47-7981

Owner TypeName and Address

Original Owner

THOMAS LEO MC CAULEY  
324 11TH AVE N  
BUHL, ID 83316  
(208)543-8486

Current Owner

LITTLE MAC POWER CO INC  
1966 E 4300 N  
BUHL, ID 83316  
(208)733-4952

Priority Date: 09/21/1983

Basis:

Status: Active

SourceTributary

UNNAMED STREAM

CEDAR DRAW CREEK

Beneficial UseFrom ToDiversion RateAnnual VolumeWATER QUALITY  
IMPROVEMENT

1/01 to 12/31

25.000 CFS

POWER

1/01 to 12/31

25.000 CFS

Total Diversion: 25.000 CFSLocation of Point(s) of Diversion

UNNAMED STREAM

SW1/4NE1/4

Sec. 26, Twp 09S, Rge 15E, B.M.

TWIN FALLS County

Place of Use

POWER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 09S | 15E | 23  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |

WATER QUALITY IMPROVEMENT same as POWERConditions of Approval:

- 081 Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
- 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

25

1906

310

002  
002 CFS for cattle3RBK  
PENDING

Kully

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## IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 47-7961



4. 08A This right is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this right. Failure to comply with these provisions is cause for immediate cancellation of this right.
5. 17G The diversion and use of water under this right and any license subsequently issued is subject to review by the Director on the date(s) of expiration of any license issued by the Federal Energy Regulatory Commission. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
6. 027 Use of water under this right shall be non-consumptive.
7. 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
8. 17K The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
9. Source is locally known as F Lateral.  
This right shall in no way be used to inhibit or alter the historical use of Cedar Draw by the Twin Falls Canal Co. as a water delivery channel and as a wasteway.
10. 01N The right holder shall install a measuring device that can be used to determine the instantaneous rate of flow of water through the system, or the right holder shall provide to the department a flow rate measurement or computation made by a certified water right examiner in accordance with actual system design and operation.
11. 025 This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

Remarks:Comments:

## 1. MBALDWIN 3/11/1997 ADDRESS CHANGE &amp; RE-ACTIVATE APPLICATION

Comment: A written request for an address change and to re-activate the processing of the application was received on 2/26/97. This action will involve state-wide re-advertising of the application.

## 2. MBALDWIN 5/21/1997 AMENDED APP.

Comment: Application was amended on 5/20/1997 to change POD to S26, T09S, R15E and to add Water Quality Improvement as an additional use.

## 3. CZIMMERM 9/23/1997 DIVERSION DESCRIPTION

Comment: Improvement of existing diversion improvement of ditch and/or pipe to carry water. 1600 KW @ 180' head in connection to existing use 47-0830 and 47-07960. Sediment retention and desiltation of degraded irrigation run-off water in ponds and canal. "I have existing water rights and a FERC exemption from license for an existing and operating hydroelectric project. This filing for additional water will help stabilize production levels.

11. Place of use in counties: TWIN FALLS

**COPY**

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

13. Other Water Rights Used:

14. Remarks:

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

Signature of Claimant(s):

Lannie Wright  
Lannie Justine Wright

Date:

2.4.08

Date:

2/4/08