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AUG 21 2008

DEPARTMENT OF
WATER RESOURCES

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

AUG 20 2008

By

Clerk

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: 35-13748

Case No. 39576

) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)
)

On May 5, 2008, Howard Taylor & Sons, Inc., by and through counsel, Robert L. Harris, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on August 19, 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 August 20, 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 August 20, 2008, with sufficient first-class postage to the following:

HOWARD TAYLOR & SONS INC

Represented by:

ROBERT L HARRIS

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

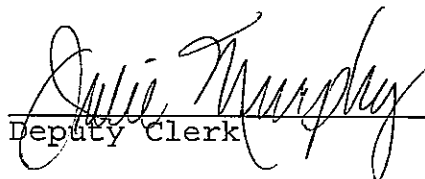
BOISE, ID 83720-0098

ORDER

Page 1 8/20/08

FILE COPY FOR 02236

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized.

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 35-13748

Date Received _____

Receipt Number _____

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

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

MAY - 5 2008

By _____ Clerk
_____ Clerk

1. Name of Claimant(s) Howard Taylor & Sons, Inc. Phone (208) 522-7771
Mailing Address 8307 W 81N Idaho Falls, ID Zip 83402
2. Date of Priority (Only (1) per claim) April 15, 1980
3. Source of water supply (a) Ground water
which is tributary to (b) _____

- 4.a. Location of existing point of diversion is:
Township 2N Range 35E Section 1, SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____,
County of Bonneville

Additional points of diversion if any: NWSWNW, 2N, 35E, Sec. 12, Bonneville County
If Available, GPS Coordinates: _____

- b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged
and the depth of each well. Well and pump.

6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/01 to 11/01 amount .73 cfs or _____

7. Total quantity claimed (a) .73 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of
livestock Etc.) None

- [illegible]

Last Name _____ Ident. Number _____

Pres. of Howard Taylor & Sons and that () statements contained in the
(Title) (Organization)
foregoing document are true and correct.

Signature of Authorized Agent Carl Taylor

Title and Organization Pres. Howard Taylor & Sons Inc. Date Apr - 23, 2008

17. Notice of Appearance:

Notice is hereby given that I, Robert L. Harris will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Robert L. Harris
Address PO Box 50130, Idaho Falls, ID 83405
Date April 21, 2008

G:\WPDATA\RLH\12061-001 Howard Taylor & Sons\CLAIM.wpd:cdv

Last Name _____ Ident. Number _____