

RECEIVED

NOV 20 2008

DEPARTMENT OF
WATER RESOURCES

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

NOV 19 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: 37-22326

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE/AMENDED NOTICE OF CLAIM

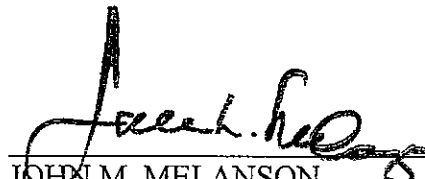
On July 3, 2008, 4 Bros. Dairy Inc., by and through counsel, Robert E. Williams, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. On August 7, 2008, claimant filed an *Amended Late Notice of Claim*, to include a priority date. Hearing was held on the *Motions* on November 18, 2008. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late/amended Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late/Amended Notice of Claim* for the above-captioned water right is **granted**.

The original and amended 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 November 19, 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/AMENDED NOTICE OF CLAIM was mailed on November 19, 2008, with sufficient first-class postage to the following:

4 BROS DAIRY INC

Represented by:

ROBERT E WILLIAMS

FREDERICKSEN WILLIAMS ET AL

PO BOX 168

JEROME, ID 83338

Phone: 208-324-2303

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

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FILE COPY FOR 01741

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line that serves as a signature line.

RECEIVED

NOV 20 2008

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

37-22326

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
JUL - 3 2008
By _____ Clerk
_____ Deputy Clerk

Please type or print clearly

- Name of Claimant (s) 4-Bros. Dairy Inc. Phone (208) 886-7716
Mailing Address 425 N. 250 W. Shoshone, ID. 83352 Zip _____
- Date of Priority (Only one (1) per claim) _____
- Source of water supply (a) Ground Water
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 05 S. Range 17 E. Section 9,
SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Lincoln
Additional points of diversion if any: _____
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 _____
- 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 with pump which supplies existing homestead and supply
line to a trough in a corral.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 1/1 to 12/31 amount 0.02 or _____

For Stockwater purposes from 1/1 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and / or (b) 14.5 (acre feet)

8. Total consumptive use claimed is 14.5 acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) One household, 1,000 Dairy Heifers

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	17E	9											S,D						S,D

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Lincoln

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

None Or None ☒

14. Remarks:

Last Name _____

Ident. No. _____

15. Basis of Claim (check one) ☐ Official Use ☒ x Posted Notice ☐ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary/Treasurer

Of 4 Bros. Dairy, Inc. that I have signed the foregoing

Document in the space below as Secretary/Treasurer of 4 Bros. Dairy, Inc.
Organization Title Organization

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Secretary/Treasurer 4 Bros. Inc Date 6-26-08

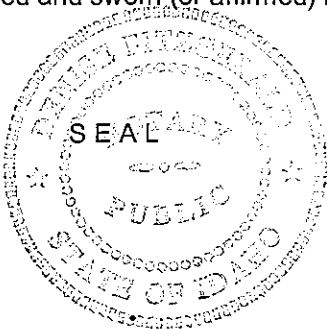
State of Idaho / or _____)
County of Lincoln) ss.

Subscribed and sworn (or affirmed) before me this 26 day of June, 2008.

Notary Public Denise Fitzgerald

Residing at Shoshone

My Commission Expires 12-15-2012



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Robert E. Williams 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 [Signature]

Address P.O. Box 168, 153 East Main St., Jerome, ID 83338

Date June 19th, 2008

Last Name Williams Ident. Number 1693

Idaho Department of Water Resources Receipt

Receipt ID: C087742

Payment Amount	\$100.00	Date Received	11/20/08 2:26	Region	STATE
Payment Type	Check	Check Number	20703		
Payer	FREDERICKSEN, WILLIAMS, MESERVY & LOTH SPEICH, LLP				

Comments 4-Bros. Dairy Inc

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$100.00	ADJUDICATION FILING FEE	0337		41503	1155

SR7

Signature Line (Department Representative)

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

AMENDED CLAIM

Ident. Number 37-22326
Date Received: 4/29/2008
Receipt No:
Received By:

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

1. Name of Claimant(s)

4 BROS DAIRY Phone: (208) 886-7716
425 N 250 W
SHOSHONE ID USA 83352

2. Date of Priority: 1930

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	17E	9	SE SE SW	LINCOLN	

5. Description of diverting works:

Well with pump which supplies existing homestead and supply line to troughs in corrals.

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	
DOMESTIC	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 14.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 1000 dairy heifers
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 7 2008

By _____ Clerk

Deputy Clerk

05S

17E 9

SE SW
SE SW

DOMESTIC
STOCKWATER

11. Place of use in counties: LINCOLN

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

For Organizations:

I do solemnly swear or affirm that I am Secretary/Treasurer of
_____ Title

4 Bros. Dairy, Inc. _____, that I have signed the foregoing
Organization
document in the space below as Secretary/Treasurer of
_____ Title

4 Bros. Dairy, Inc. _____ and that the statements contained in the
Organization
foregoing document are true and correct.

Andrew R. [Signature]
Signature of Authorized Agent

Secretary/Treasurer, 4 Bros. Dairy, Inc.
Title and Organization

7-31-08
Date