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JAN 08 2009

DEPARTMENT OF
WATER RESOURCES

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 37-7142A
	)	
Case No. 39576	)	STANDARD FORM 4
	)	MOTION TO FILE LATE NOTICE OF CLAIM
	)	
_____	)	

INSTRUCTIONS

This form is used to file a late Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is

My address is

My phone number is: Work _____ Home _____

I am an attorney representing Penelope Glassmeyer, Trustee of The Sun Valley Residence Trust U/A dated December 22, 1992, whose address is 26 Butler's Island Rd., Darien, CT 06820

My name is James P. Speck

My address is Speck & Aanestad, A Professional Corporation, PO Box 987, Ketchum, ID 83340

My phone number is 208-726-4421

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

See Affidavit of James P. Speck

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

See Affidavit of James P. Speck

I have attached:

☒ A fully completed Notice of Claim (available from IDWR).

☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 103.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.

2. Fill in the following information:

This motion will be heard on April 21, 2009, 1:30 pm
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION (Must be completed)

State of Idaho

County of Blaine

JAMES P. SPECK, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

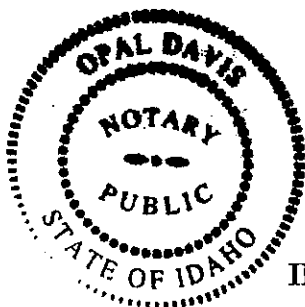
J. P. Speck

Attorney signing in representative capacity

Subscribed and sworn to before me on

11/7/09

(Insert Date)



Opal Davis
Notary Public for Idaho

Residing at:

RT1, Box 1210, Fairfield ID

My Commission expires:

6/20/13

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Jan 7, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North PO
Box 2707 Twin Falls, ID
83303-2707

2. Copies to:

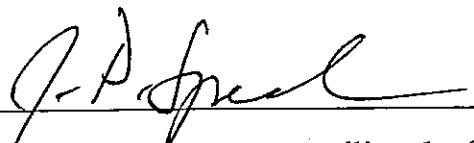
IDWR Document Depository
PO Box 83720 Boise, ID
83720-0098

Chief, Natural Resources
Division Office of the Attorney
General State of Idaho PO Box
44449 Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033 Boise, ID
83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number 37-7142A
Date Received _____
Receipt Number _____

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

RECEIVED
JAN 08 2003
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly

1. Name of Claimant (s) Penelope Glassmeyer, Trustee of The Sun Valley Residence Trust

U/A dated December 22, 1992 _____ Phone 203-856-9005

Mailing Address 26 Butler's Island Road; Darien, CT Zip 06820

2. Date of Priority (Only one (1) per claim) April 20, 1972

3. Source of water supply (a) Ground water

which is tributary to (b) None

4. a. Location of existing point of diversion is: Township 4N Range 18E Section 19,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Blaine

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 _____

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. Existing well - constructed in 1970. Ten (10) inch diameter well
constructed to a depth of 70 ft BGS. Perforations in the casing wall from 48 ft BGS to 52 ft BGS. Pump installed
with motor to extract water from well.

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 4/15 to 10/31 amount 0.06 or 9

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.06 (cfs) and / or (b) 9 (acre feet)

8. Total consumptive use claimed is _____ 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.) _____

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	
4N	18E	19													1.5	1.5			3

Total number of acres irrigated 3

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

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.
_____ Or None ☒

14. Remarks:

Irrigation in the NE1/4SE1/4 of Section 19 is pursuant to an accomplished transfer under I.C. Section 42-1425.

Last Name Glassmeyer

Ident. No. 37-7142A

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-7142A

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 9/17/08

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

Of _____, that I have signed the foregoing

Organization

Document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho / or _____)

)ss.

County of _____)

Subscribed and sworn (or affirmed) before me this 17 day of September, 20 08

Notary Public Karen Garsen

Residing at 51 CROSS RD, TANEN, ID 83420

My Commission Expires 7/31/09

SEAL

KAREN R. GARSCH
NOTARY PUBLIC
MY COMMISSION EXPIRES 07/31/2009

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, JAMES P. SPECK 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 _____

Address SPECK & ASSOCIATES, A PROFESSIONAL CORPORATION, PO BOX 907, KETCHUM, ID, 83340

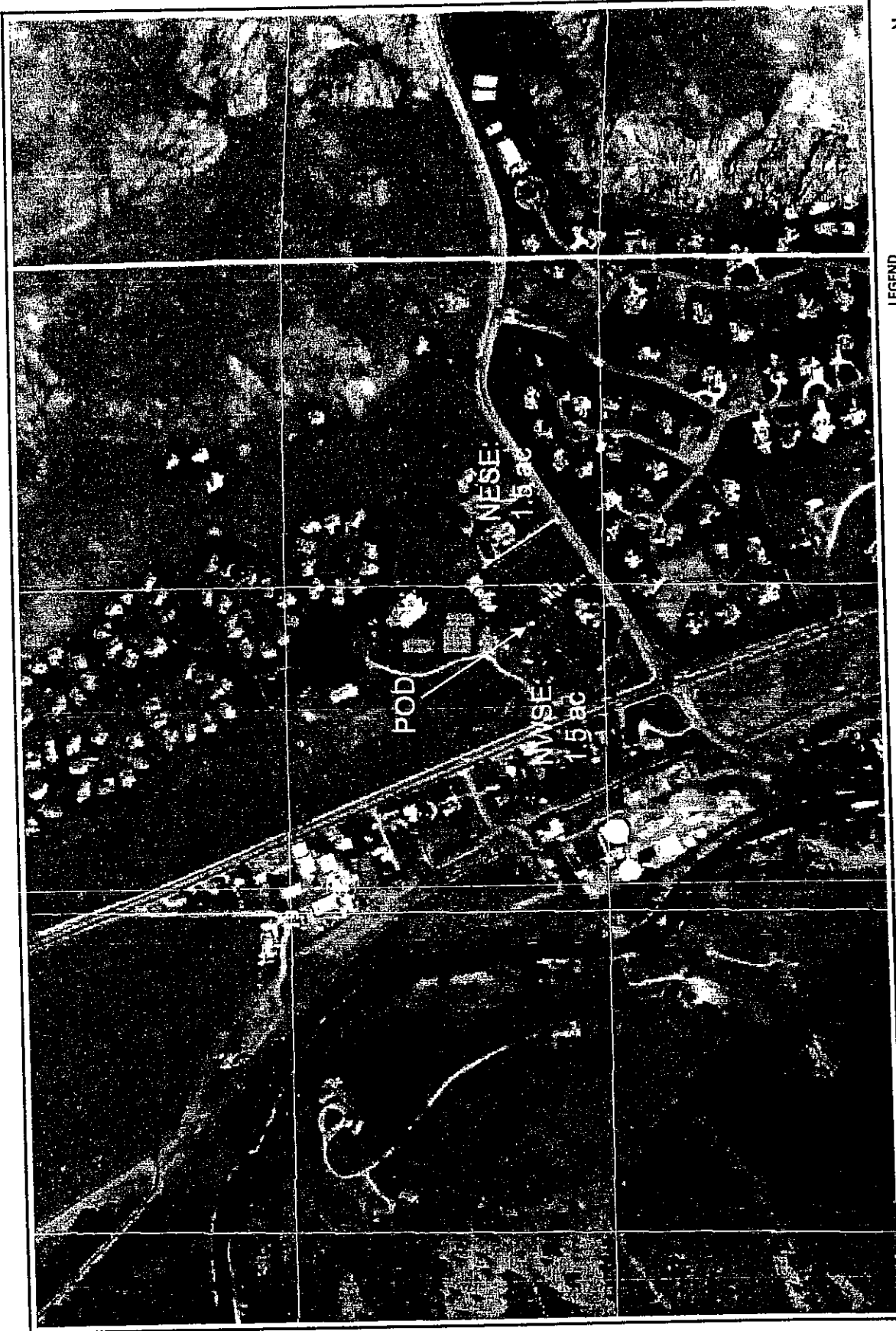
Date 1/5/09

Last Name Glasum-Yor Ident. Number 37-7142A



- LEGEND**
- SECTIONS
 - QUARTER-QUARTER LINES
 - 37-7142A
 - POINT OF DIVERSION

PENELOPE GLASSMEYER
WATER RIGHT CLAIM 37-7142A
T4N R18E SEC 19 NESE AND NWSE
 NAIP 2004 AERIAL PHOTO



N
 LEGEND
 SECTIONS
 QUARTER-QUARTER LINES
 37-7142A
 POINT OF DIVERSION

PENELOPE GLASSMEYER
 WATER RIGHT CLAIM 37-7142A
 T4N R18E SEC 19 NESE AND NWSE
 NAIP 2004 AERIAL PHOTO



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PENELOPE GLASSMEYER
 WATER RIGHT CLAIM 37-7142A
 T4N R18E SEC 19 NESE AND NWSE
 NAIP 2004 AERIAL PHOTO

BROCKWAY ENGINEERING, PLLC
 GEP - JAN. 5, 2009