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JAN 22 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JAN 21 2009
By _____ 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: 63-02462

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On September 12, 2008, LaMar Roche filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearings were held on the *Motion* on December 16, 2008 and January 20, 2009. 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 January 21, 2009.


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 January 21, 2009, with sufficient first-class postage to the following:

SPF WATER ENGINEERING
ATTN: LORI GRAVES
300 E MALLARD STE 350
BOISE, ID 83706

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

LAMAR ROCHE
23019 HWY 20-26
PARMA, ID 83660
Phone: 208-722-6185

ORDER

Page 1 1/21/09

FILE COPY FOR 02215


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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

DISTRICT COURT-SIDA
Fifth Judicial District
County of Twin Falls State of Idaho
Ident. Number: 63-2462
Date Received: C18729
Receipt No: SEP 30 2008
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Lamar Roche
23019 Hwy 20-26
Parma ID 83660

Phone: (208) 722-6185

2. Date of Priority: January 20, 1945

3. Source: Sand Hollow Creek

Trib. to: Boise River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
5N	4W	30	SW NE		Canyon	

5. Description of diverting works:

Headgate, ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
Irrigation	3/1	11/15	1.0	

7. Total Quantity Appropriated is:

1.0 cfs

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	4W	30											Lt 8 7						7
		31						Lt 8 1											1
5N	5W	25															Lt 2 1	Lt 10 16	17

11. Place of use in counties: Canyon

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

13. Other Water Rights Used:

14. Remarks: 50 inches of water have historically been diverted for 25 acres of irrigation due to gravelly soils.

15. Basis of Claim: License

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:

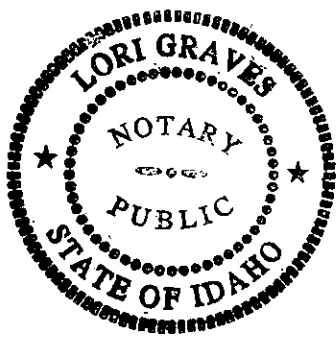
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Ta Ma Roche* Date: 9/25/08

Date: _____

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this 25th of Sept 2008
Lori Graves
Notary Public



Residing at *Boise*
My commission Expires 6/18/2010

State of Idaho License and Certificate of Water Right

Water License No. 17588

Amount 1 second foot

Water District No.

Priority January 20, 1945

THIS IS TO CERTIFY that Helen G. Mack
of Pittsburgh, Pennsylvania, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 15, 1931; that Permit No. 17588
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1 (one) second foot was issued thereunder on October 22, 1936, showing that said works
were completed on the 21st day of October, 1936; and that on the 20th
day of January, 1956,

C. A. RODGERS, Assignee of Helen G. Mack
of Parma, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Sand Creek
a tributary of Boise River, for the purpose of irrigation
under Use Permit No. 17588 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5663, on the 29th day of February, 1956;
The right hereby confirmed dates from January 20, 1945;

The Point of Diversion is located
in the SW 1/4 NE 1/4 Sec. 30, Tp. 5 N., R. 4 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1 (one) cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	4 W.	30	SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.8	2
		31	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20.7	27.1
	5 W.	25	SE $\frac{1}{4}$ SE $\frac{1}{4}$	17.8	17.8
		36	NE $\frac{1}{4}$ NE $\frac{1}{4}$	25.5	<u>3.0</u>
		Total Number of Acres Actually Irrigated			

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
29th day of February, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

63 2400



Legend

-  Point of Diversion
-  63-2462 Place of Use
-  Sections

Claim No. 63-2462



 **Water Engineering, LLC**
water resource consultants
900 E. River Park Lane, Ste. 100, Boise, Idaho 83706
Tel: 208.383.4145 Fax: 208.383.4156

