

RECEIVED
MAY 21 2009
Department of Water Resources
Adjudication Bureau

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

MAY 20 2009

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: 74-00871

Case No. 39576)

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

RECEIVED
MAY 21 2009
DEPARTMENT OF
WATER RESOURCES

On February 18, 2009, Beyeler Ranches LLC, by and through counsel, Paul L. Arrington, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on May 19, 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 May 20, 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 May 20, 2009, with sufficient first-class postage to the following:

BEYELER RANCHES LLC

Represented by:

PAUL L ARRINGTON

113 MAIN AVE W, STE 303

PO BOX 485

TWIN FALLS, ID 83303-0485

Phone: 208-733-0700

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".

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

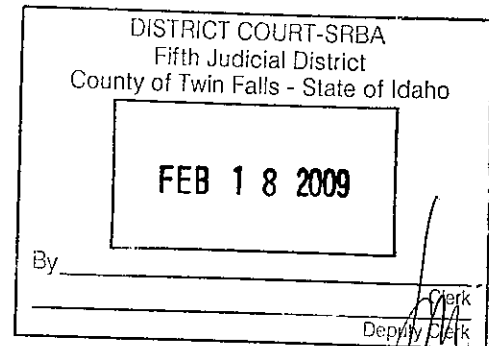
Ident. Number 74-871
Date Received: 5/2/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEYELER RANCHES LLC Phone: (208) 768-2651

C/O MERRILL AND SHARAL BEYELER
PO BOX 62
LEADORE ID USA 83464



2. Date of Priority: 08/09/1948

3. Source: SPRINGS Trib. to: EIGHTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	26E	35	NW SW NW	LEMHI	

5. Description of diverting works:

HEADGATE TO DITCH FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.8	

7. Total Quantity Appropriated is:
1.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	26E	27	NW	SW	IRRIGATION	22.9
					Section Acres	22.9
16N	26E	28	SE	NE	IRRIGATION	36.5
			NE	SE	IRRIGATION	31
					Section Acres	67.5
					Total Acres	90.4

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=90.4.

SOURCE ALSO KNOWN AS YEARIAN SPRINGS DURING THE IRRIGATION SEASON THE SPRINGS ARE DIVERTED INTO A DITCH FOR IRRIGATION. SPRINGS ARE NOT TRIBUTARY TO ANY OTHER SOURCE DURING THE IRRIGATION SEASON.

DURING THE NON-IRRIGATION SEASON SOURCE IS TRIBUTARY TO EIGHTEENMILE CREEK WHICH IS TRIBUTARY TO A DITCH WHICH TAKES THE WATER TO CANYON CREEK.

Claim status was changed to Temporary on 1/16/2006. No recommendation was completed. No claim file can be found and there is no evidence the claim was scanned.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing

Organization
document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Idaho Department of Water Resources Receipt

Receipt ID: C088707

Payment Amount \$190.00 Date Received 5/21/09 3:18 Region STATE
Payment Type Check Check Number 1081
Payer BARKER ROSHOLT & SIMPSON LLP

Comments ADJUDICATION FILING FEE

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$190.00	ADJUDICATION FILING FEE	0337		41503	1155



Signature Line (Department Representative)