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JUN 19 2009

DEPARTMENT OF
WATER RESOURCES

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

JUN 18 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

Subcases: 37-00800 & 37-00801

Case No. 39576

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIM

On March 30, 2009, Gerald B. and Audrey Bashaw, by and through counsel, Paul L. Arrington, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on June 16, 2009. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices 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 claims 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 June 18, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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JUN 22 2009

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on June 18,
2009, with sufficient first-class postage to the following:

AUDREY BASHAW
GERALD B BASHAW
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

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JUN 22 2009

ORDER

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FILE COPY FOR 01794


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

Ident. Number 37-801

Date Received: _____

Receipt No: _____

Received By: _____

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

Please type or print clearly

1. Name of Claimant (s) GERALD B. & AUDREY BASHAW

Mailing Address PO BOX 767

PICABO

ID

Zip 83348

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) APRIL 1, 1950
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 1N, Range 19E, Section 35,
SW, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of BLAINE

Parcel (PIN) no. _____

Additional points of diversion if any: NWNW, S2, T1S, R19E, BLAINE COUNTY

If available, GPS Coordinates _____

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

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., 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. PUMP AT EACH WELL. WATER IS PUMPED INTO PIPES AND
DISTRIBUTED TO PIVOTS. BOTH WELLS ARE 75 FEET DEEP.

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/31 amount 2CFS or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 2CFS (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.)

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	19E	34													16			20	36
		35										19	35						54
1S		2			15				5	40	33	35	25		25	18	10	40	246
		3			8										30	3		4	45
		11	35				3	15											53

Parcel (PIN) no(s).

Total number of acres irrigated 434

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

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

37-4142 & 37-11556

or None ()

13. Remarks: THIS WATER RIGHT WAS ORIGINALLY DECREED IN THE CLOVER LAND & LIVESTOCK COMPANY V. ALLRED DECREE (MAY 10, 1951)

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Last Name BASHAW

Identification No.



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JUN 22 2009

Legend

- POD 37-4141, 37-4142
- Sections 1s19e
- 101m19e
- Place_of_Use

BROCKWAY ENGINEERING, PLLC.
ALR - MARCH 30, 2009

BASHAW
WATER RIGHT 37-4141 P.O.D.
NAIP 2006 AERIAL

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court BLAINE CTY. Decree Date MAY 10, 1951 Plaintiff v. Defendant CLOVER LAND & LIVESTOCKIf applicable provide IDWR Water Right Number 37-801

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Ronald B Bashaw
Quincy C BashawDate: 3/28/09Date: 3/28/09

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Title of _____ Organization

that I have signed the foregoing document in the space below as

Title of _____ Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, ALBERT P. BARKER & PAUL L. ARRINGTON, will be acting as attorney at law of 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 _____ Date _____

Address PO BOX 2139BOISE, ID 83701-2139Last Name BASHAW Identification No. _____

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JUN 22 2009

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED
2009 MAR 31 PM 3 24

03-27-'09 10:05 FROM-

T-156 P021/021 F-360

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court BLAINE CTY. Decree Date MAY 10, 1951 Plaintiff v. Defendant CLOVER LAND & LIVESTOCKIf applicable provide IDWR Water Right Number 37-801

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Number of attachments: _____

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Signature of Claimant (s)

Gerald B. BashawDate: 3/28/09Andrew C. BashawDate: 3/28/09

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, ALBERT P. BARKER & PAUL L. ARRINGTON, will be acting as attorney at law of 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] Date 3/30/09Address PO BOX 2139BOISE, ID 83701-2139

SCANNED

JUN 22 2009

Last Name BASHAW

Identification No. _____