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JUL 24 2009

DEPARTMENT OF
WATER RESOURCES

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

JUL 23 2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

By

Clerk
Deputy Clerk

In Re SRBA

Subcase: 79-14229

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On April 29, 2009, Albert A. and Rebecca S. Augustus filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on July 21, 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 July 23, 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 July 23, 2009,
with sufficient first-class postage to the following:

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

ALBERT A AUGUSTUS
REBECCA S AUGUSTUS
PO BOX 94
WHITEBIRD, ID 83554
Phone: 208-839-2836

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 and last names being clearly legible despite the cursive style.

Idaho Department of Water Resources Receipt

Receipt ID W035044

Payment Amount Date Received Region Status
Payment Type Check Number

Payer

Comment

→ Fee will be used for
→ SRBA claim if court
accepts late claim. App. for
transfer will be withdrawn
upon acceptance of late
claim. -kw 4/12/09.

Fee Detail

Amount Description Fund FD PCA SO
\$100.00 TRANSFERS 0229 21 62105 1155


Signature Line (Dept. Representative)

Fees Pd.
to IDWR

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 A79-14229

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW For Domestic and/or Stockwater Purposes Where Daily Use is less than 13,000 gallons per day

- Name of Claimant(s) ALBERT A &/OR REBECCA S AUGUSTUS Phone (208) 839-2836
Mailing Address PO BOX 94, WHITEBIRD, ID 83554
Street or Box City State Zip
- Date of Priority: (Only one per claim) 05/15/1947
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other ☒ (a) SALMON RIVER
which is tributary to (b) SNAKE RIVER
- Location of Point of Diversion is: Township 28N, Range 1E, Section 22,
SW, 1/4 of NW, 1/4 or Govt. Lot 4, BM., County of IDAHO; Parcel (PIN) No. _____
Additional points of diversion if any: _____
If available, GPS Coordinates _____
- Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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 IN RIVER, PIPELINE TO PLACE OF USE
- Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)
For DOMESTIC purposes from 1/1 to 12/31 amount 0.02 (cfs) or (AFA)
For _____ purposes from _____ to _____ amount _____
- Total Quantity claimed 0.02 (cfs) or (AFA)
- Non-irrigation uses. Describe fully. (eg. Domestic: Give number of households served if single ownership; Stockwater: Type and number of livestock)
DOMESTIC USE IS FOR LAWN AND GARDEN IRRIGATION.

9. Location of Place of Use is: Township 28N, Range 1E, Section 22,
SW, 1/4 of NW, 1/4, Govt. Lot 4, BM.; Parcel (PIN) No. RP00800004005AA

for (Circle One) Domestic Stock Domestic and Stock
 Additional places of use, if any _____

10. Which county (ies) are lands listed above as place of use located? IDAHO

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

If the 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.

None ☒ _____

13. Remarks:
PROPERTY ALSO KNOWN AS LOTS 5 THROUGH 9, BLK. 4, VILLAGE OF COPPERVILLE.

THIS CLAIM REPRESENTS USE ON PROPERTY OF ORIGINAL HOMESTEAD OF HARVEY & IRENE HOSLEY.

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 79-4009

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 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: 2

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) X Albert A. Augustus Date: 4/1/09
X Rebecca S. Augustus Date: 4/1/09

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 _____

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, _____, 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.

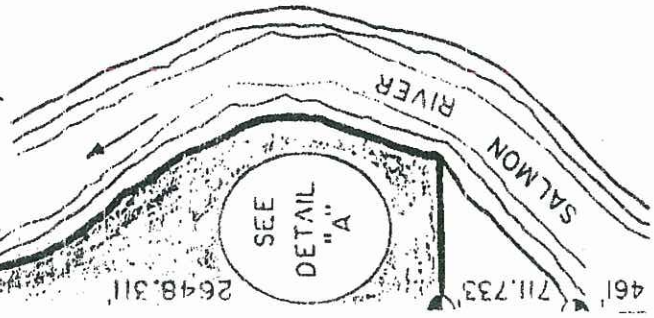
Signature _____

Address _____

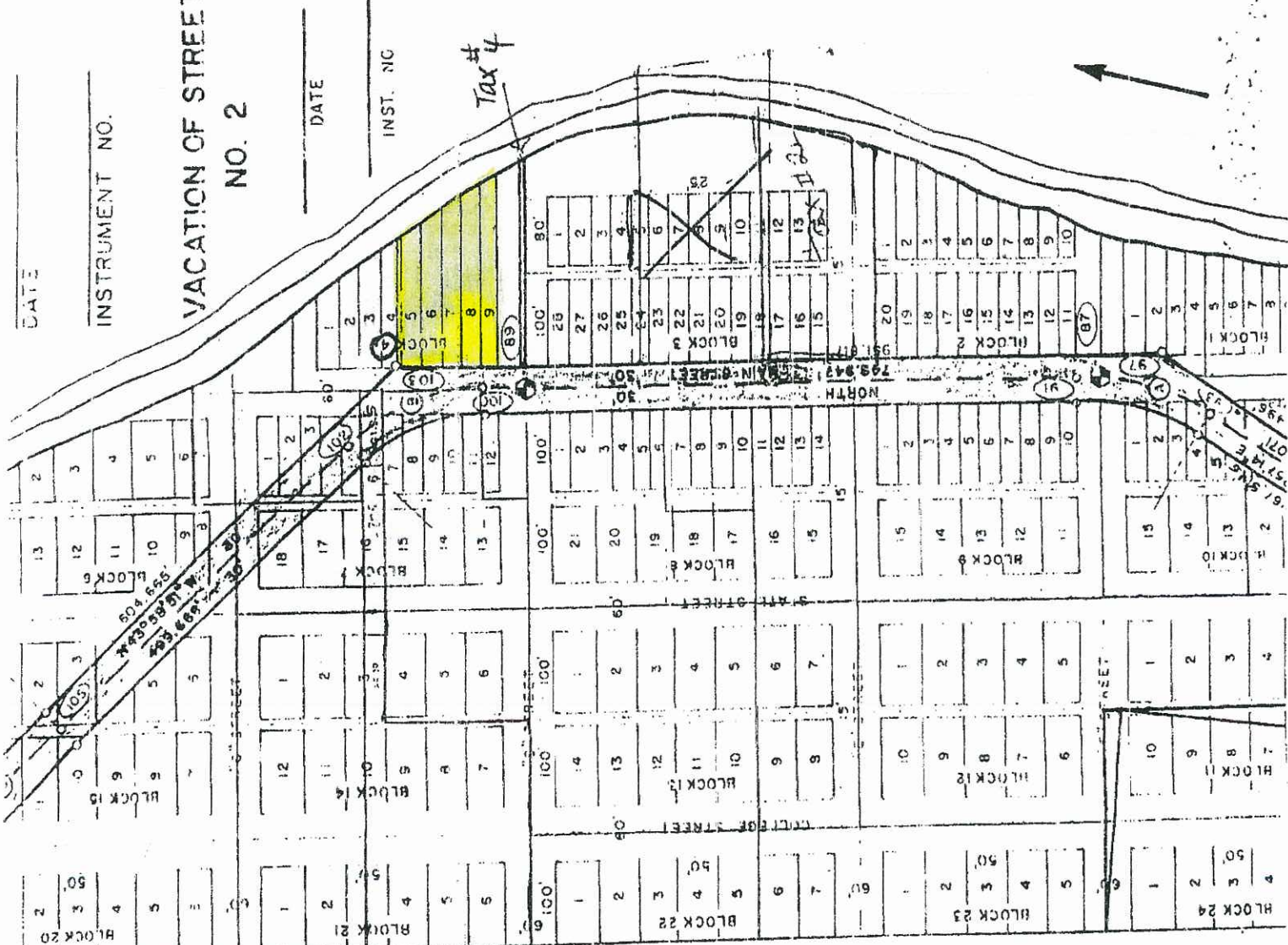
Date _____

Last Name _____ Identification No. _____

66	10,000.000	10,000.000	10,000.000
72	23,233.585	10,000.000	10,000.000
73	20,553.701	12,663.938	12,663.938
74	20,599.409	7,336.257	7,336.257
75	20,634.908	9,833.516	9,833.516
76	20,640.252	10,482.839	10,482.839
77	21,233.144	10,000.000	10,000.000
78	21,630.391	10,000.000	10,000.000
79	22,573.951	10,000.000	10,000.000
80	23,285.585	10,497.190	10,497.190
81	23,325.585	10,580.000	10,580.000
82	24,345.585	10,680.000	10,680.000
83	23,655.585	10,680.000	10,680.000
84	23,493.743	10,632.131	10,632.131
85	23,285.585	10,461.437	10,461.437
86	23,285.585	10,532.942	10,532.942
87	23,558.711	10,710.000	10,710.000
88	24,405.532	10,680.000	10,680.000
89	24,565.248	10,615.502	10,615.502
90	24,510.528	10,710.000	10,710.000
91	24,924.796	10,268.523	10,268.523
92	25,083.633	10,143.611	10,143.611
93	25,174.445	10,086.017	10,086.017
94	25,422.198	10,025.217	10,025.217
95	25,254.059	10,000.000	10,000.000
96	25,484.210	10,030.432	10,030.432
97	25,573.505	10,027.932	10,027.932
98	25,771.871	10,000.000	10,000.000
99	25,933.895	10,007.481	10,007.481
100	25,067.566	10,118.276	10,118.276
101	20,637.274	10,000.000	10,000.000



NORTH - 2648.311' (G.L.O. BASIS OF BEARINGS)



INSTRUMENT NO.

VACATION OF STREET
NO. 2

DATE

INST. NO.

Tax #4

DATE

DESIGN: 214

DWG. No. G - 16 - 81

WAY DISTRICT



Point of
Diversion

28N, 1E, S22, SWNW