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AUG 21 2009

DEPARTMENT OF
WATER RESOURCES

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

AUG 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: 02-10432

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On May 6, 2009, Roger C. Young filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on August 18, 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 August 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 August 20, 2009, with sufficient first-class postage to the following:

ROGER C YOUNG
PO BOX 430
MOUNTAIN HOME, ID 83647
Phone: 208-845-2108

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 that serves as the signature line for the 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 2-10432
Date Received: 3/25/2009
Receipt No:
Received By:

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

1. Name of Claimant(s)

ROGER G YOUNG Phone: (208)845-2108
PO BOX 430
MOUNTAIN HOME ID USA 83647

2. Date of Priority: 03/01/1976

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	06E	31	NW NW SW 6	OWYHEE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	2.5	625

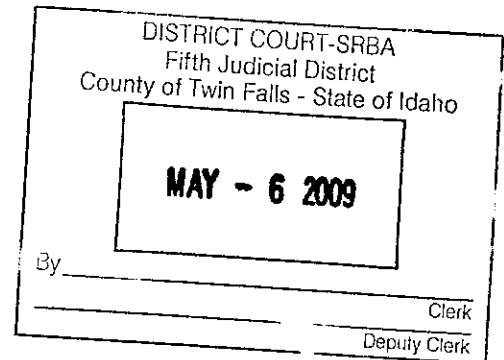
7. Total Quantity Appropriated is:
2.5 C.F.S. and/or 625 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	05E	36	NW NE	IRRIGATION	16
			SW NE	IRRIGATION	18
			SE NE	IRRIGATION	20
			NE SE	IRRIGATION	24
			NW SE	IRRIGATION	25
			SW SE	IRRIGATION	20
			SE SE	IRRIGATION	35
Section Acres					158
Total Acres					158



11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? Yes. Also includes ~~State of Idaho~~ ^{Lot 2 of} State of Idaho land being addressed under 2-7182. ^{MVB 4/10/2009}

13. Other Water Rights Used: 02-7182

14. Remarks:

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

This right is for an enlargement of 33 acres within the place of use described for this right.

This right is based upon an enlargement of Right No. 2-7182 pursuant to Section 42-1426, Idaho Code.

Right Nos. 2-7182 and 2-10432 are limited to the irrigation of a combined total of 158 acres in a single irrigation season.

Right Nos. 2-7182 and 2-10432 are limited to a total combined diversion rate of 2.5 cfs and 625 AFA.

15. Basis of Claim: Beneficial Use

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2 - AFFIDAVIT & 07-25-79 BLM AERIAL PHOTO SHOWING ENLARGEMENT.

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): Roger E. Yarny Date: 04-30-2009

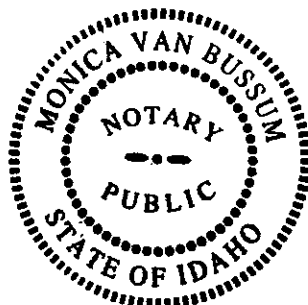
Date: _____

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
2-7182)
)
)
State of Idaho)
County of Ada)

AFFIDAVIT

ROGER G YOUNG being first duly sworn,
deposes and says: MY WATER LICENSE 02-07182 ALLOWS ME TO
DIVERT 2.5 FT³/SEC. FROM THE SNAKE RIVER TO BE USED ON 125 ACRES
AS ORIGINALLY MEASURED BY THE DEPARTMENT OF WATER RESOURCES.
IRRIGATION OF THIS LAND STARTED IN 1974. AROUND 1975 & 1976 MORE
LAND WAS FARMED AND MEASUREMENT OF ACREAGE NOW SHOWS
I'M FARMING 158 ACRES. I WOULD LIKE TO AMEND THE LICENSE
KEEPING THE SAME DIVERSION OF 2.5 FT³/SEC. & HAVE IT USED ON
THE 158 ACRE.

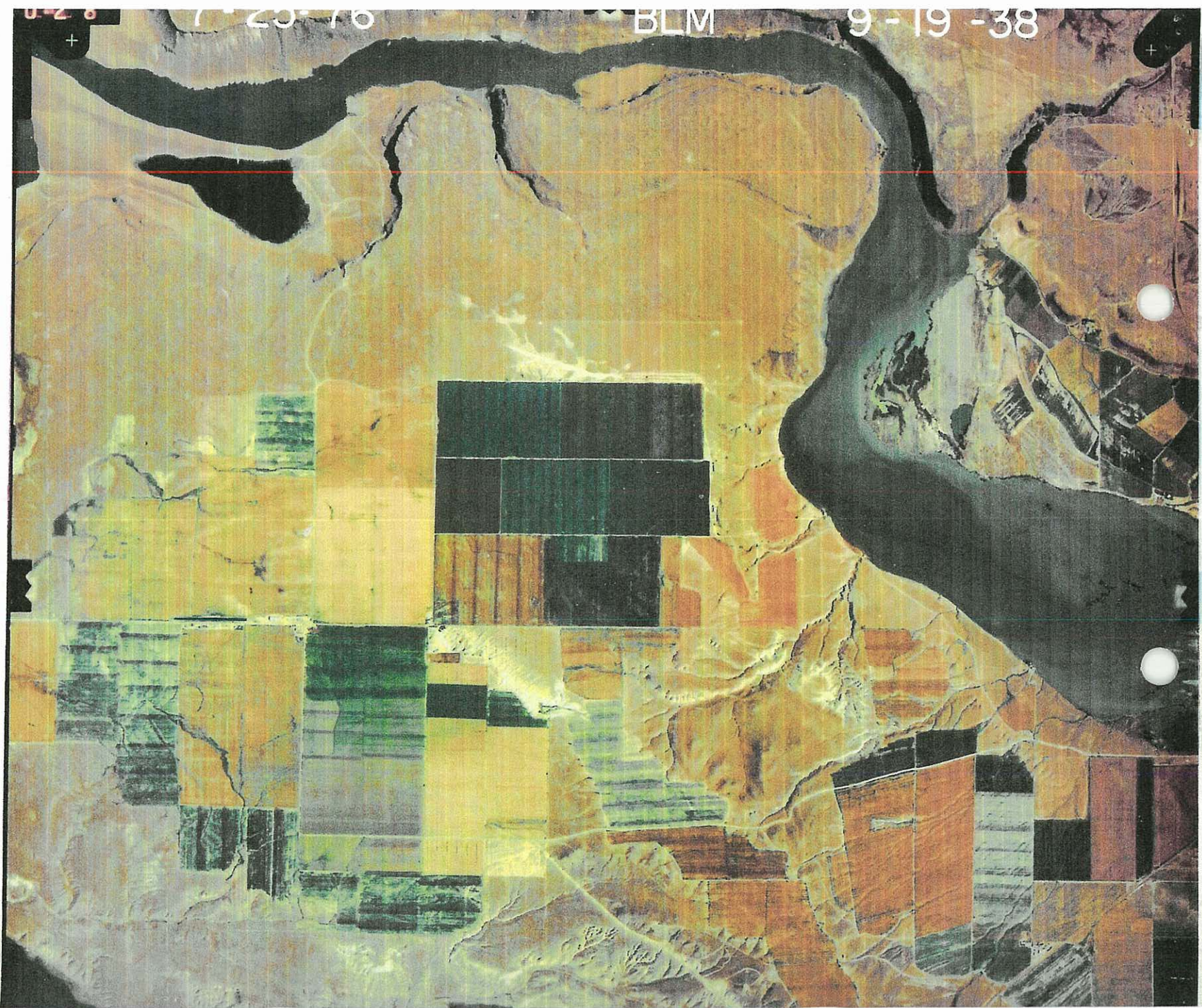
Roger G Young
(Signature)



Subscribed and sworn to before me
this 27th day of February, 2009

Monica Van Bussum
(Notary Public)

Residing at Boise, Idaho
My commission expires 4/11/2013



0-2-8

7-23-76

BLM

9-19-38