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DEPARTMENT OF
WATER RESOURCES

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**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 No. 63-10153
	)	
Case No. 39576	)	STANDARD FORM 4
	)	MOTION TO FILE: LATE
	)	NOTICE OF CLAIM
	)	

Claimant United States of America, Veterans Administration Medical Center, by and through its undersigned attorney, and pursuant to SRBA **Administrative Order 1, Rules of Procedure**, Section 4; respectfully moves the Court to enter an Order granting permission to file a Late Notice of Claim in this subcase, and as grounds therefor, states:

1. The United States originally filed this water right as federal reserved water right 63-29714.

2. Though settlement negotiations with the State of Idaho, the United States has agreed to withdraw its federal reserved water right claim and replace it with an equivalent state-based claim. The proposed settlement is in the process of being reviewed by officials of the

Department of Justice. Although the United States cannot withdraw its federal reserved right claim until the settlement is finally approved, the United States seeks leave to file this late claim so that the settlement can be implemented as quickly as possible upon approval. The proposed late claim is attached to this motion as Attachment A.

3. Counsel for the United States of America, on behalf of the Veterans Administration Medical Center, in this matter is identified below and has read SRBA Administrative Order 1, Rules of Procedure (amended October 16, 1997).

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WHEREFORE, for good cause shown, the United States respectfully requests this Court to enter an Order granting leave to file the Amended Notice of Claim herein.

Dated this 3rd day of November, 2009.

Respectfully submitted,

JOHN C. CRUDEN
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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 63-10153

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) Veterans Administration Medical Center Phone (208) 422-1000
Mailing Address 500 W. Fort St Boise ID ZIP 83702-4598
2. Date of Priority 06/23/1983
3. Source of water supply Ground Water (✓) or Other ()
4. a. Location of Point of Diversion is: T03N R02E S02 NWSW Within ADA County
T03N R02E S02 NWSW Within ADA County
T03N R02E S02 NWSW Within ADA County
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. N/A
6. Water is claimed for the following purposes:
For irrigation purposes from 03/01 to 11/15 amount 0.600 CFS 139.00 AFY.
For industrial purposes from 01/01 to 12/31 amount 0.100 CFS 0.60 AFY.
For irrigation storage purposes from 01/01 to 12/31 amount 1.40 AFY.
For irrigation from storage purposes from 03/15 to 10/15 amount 1.40 AFY.
For diversion to storage purposes from 01/01 to 12/31 amount 0.700 CFS.
7. Total quantity claimed (a) 0.700 CFS and/or (b) 141.000 AFY.
8. Non-irrigation uses:

9. Description of place of use:

IRRIGATION in ADA County

T03N R02E S02 NWSW	2.10	T03N R02E S02 SWSW	22.70
T03N R02E S03 SESW	4.30	T03N R02E S03 SESE	1.40
T03N R02E S11 NENW	0.10	T03N R02E S11 NWNW	0.20

INDUSTRIAL in ADA County

T03N R02E S02 NWSW	T03N R02E S02 SWSW
T03N R02E S02 SESW	

IRRIGATION FROM STORAGE same as IRRIGATION

30.8 ACRES TOTAL

Right Nos. 63-5220, 63-5221 and 63-10153 are limited to the irrigation of a combined total of 33.0 acres in a Single irrigation season.

10. In which county are lands listed above as place of use located? ADA County

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

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

63-5220 and 63-5221

13. Remarks: Right Nos. 63-5220, 63-5221 and 63-10153 are limited to a total combined diversion rate of .76 cfs for diversion directly to irrigation and industrial use, to a total combined rate of diversion rate of .86 cfs for diversion to storage, and to a total combined diversion volume for irrigation (directly or from storage) of 148.5 AF. Irrigation from storage under Right Nos. 63-5220, 63-5221 and 63-10153 is limited not by a diversion rate, but rather, by the total combined annual diversion volume of 148.5 AF.

CERTIFICATE OF SERVICE

I certify that on the 4th day of November 2009, I lodged the original copy of foregoing **STANDARD FORM 4 - MOTION TO FILE LATE NOTICE OF CLAIM** as follows:

via FedEx mail:

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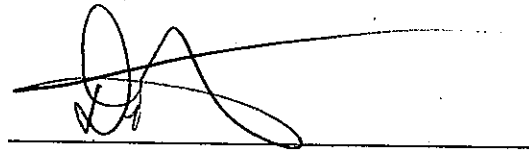
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