

RECEIVED
FEB 18 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 17 2010	
By _____	Clerk
_____	Dep. 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: 63-10153

Case No. 39576

) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)
)

On November 6, 2009, the United States of American, Veterans Administration Medical Center, by and through counsel, David W. Gehlert, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 16, 2010. 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 February 17, 2010.



ERIC C. WILDMAN
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 February 17, 2010, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

ORDER

Page 1 2/17/10

FILE COPY FOR 02323


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 63-10153

Date Received: _____

Receipt No. _____

Received By: <u>DISTRICT COURT-SRBA</u> Fifth Judicial District County of Twin Falls - State of Idaho NOV - 6 2009 By _____ _____ Clerk _____ Deputy Clerk
--

**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 are 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.