

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
_____ 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: 73-12166

Case No. 39576

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

On October 19, 2009, Circle Pi LLC 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 J. 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:

CIRCLE PI LLC
HC 62 BOX 2295
MAY, ID 83253
Phone: 208-876-4206

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

ORDER

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FILE COPY FOR 00259


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: 73-12166
Date Received: 2-18-2010
Receipt No: C090034
Received By: SR7 \$41869

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): CIRCLE PI, LLC
HC 62, BOX 2295
MAY, ID 83253
2. Date of Priority: APRIL 8, 1910
3. Source: PATTERSON CREEK Trib. to: PAHSIMEROI RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County	Type
14N	23E	6	NW	NW	NW		LEMHI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	CFS	(or) AF/A
IRRIGATION	4/1	10/31	6.28	

7. Total Quantity Appropriated is: 6.28 CFS

8. Total consumptive use: N/A

9. Non-irrigation uses: N/A

10. Place of use:

TWP	RNG	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	23E	16									3.9	13 (L4)	39 (L3)	35			13	1	104.9
		17													13			40	53.0
		20	40			40									34				114.0
		21	31	40	40	40	40	40	40	40	33	34			28	33			439.0

Total number of acres irrigated 710.9

11. Place of use in counties: LEMHI

DISTRICT COURT - SRBA
 TWIN FALLS CO., IDAHO
 FILED
 2009 OCT 19 AM 11 00

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: 73-217, 73-10065

14. Remarks: THIS CLAIM IS FOR ADDITIONAL IRRIGATION ON THE LAND ALSO IRRIGATED UNDER WATER RIGHTS 73-217 AND 73-10065. IRRIGATION WATER HAS HISTORICALLY BEEN DELIVERED, WHEN AVAILABLE, THROUGH A SYSTEM OF GRAVITY-FLOW DITCHES THAT CAN BE SEEN ON 1993 AERIAL PHOTO.

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am the Managing Member of Circle Pi, LLC, that I have signed the foregoing document in the space below as the Managing Member of Circle Pi, LLC and that the statements contained in the foregoing document are true and correct.

Ben Yates
Ben Yates

Managing Member, Circle Pi, LLC

Date

State of CALIFORNIA)
County of SANTA CLARA) SS.

Subscribed and sworn (or affirmed) before me this _____ of OCTOBER, 2009.

Marie Joy Peji Rodriguez
Notary Public

Residing at SANTA CLARA, CALIFORNIA

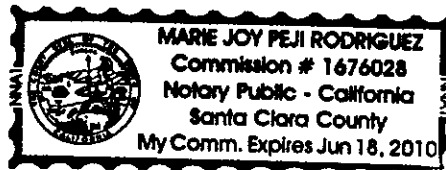
My commission Expires JUNE 18, 2010



State of California

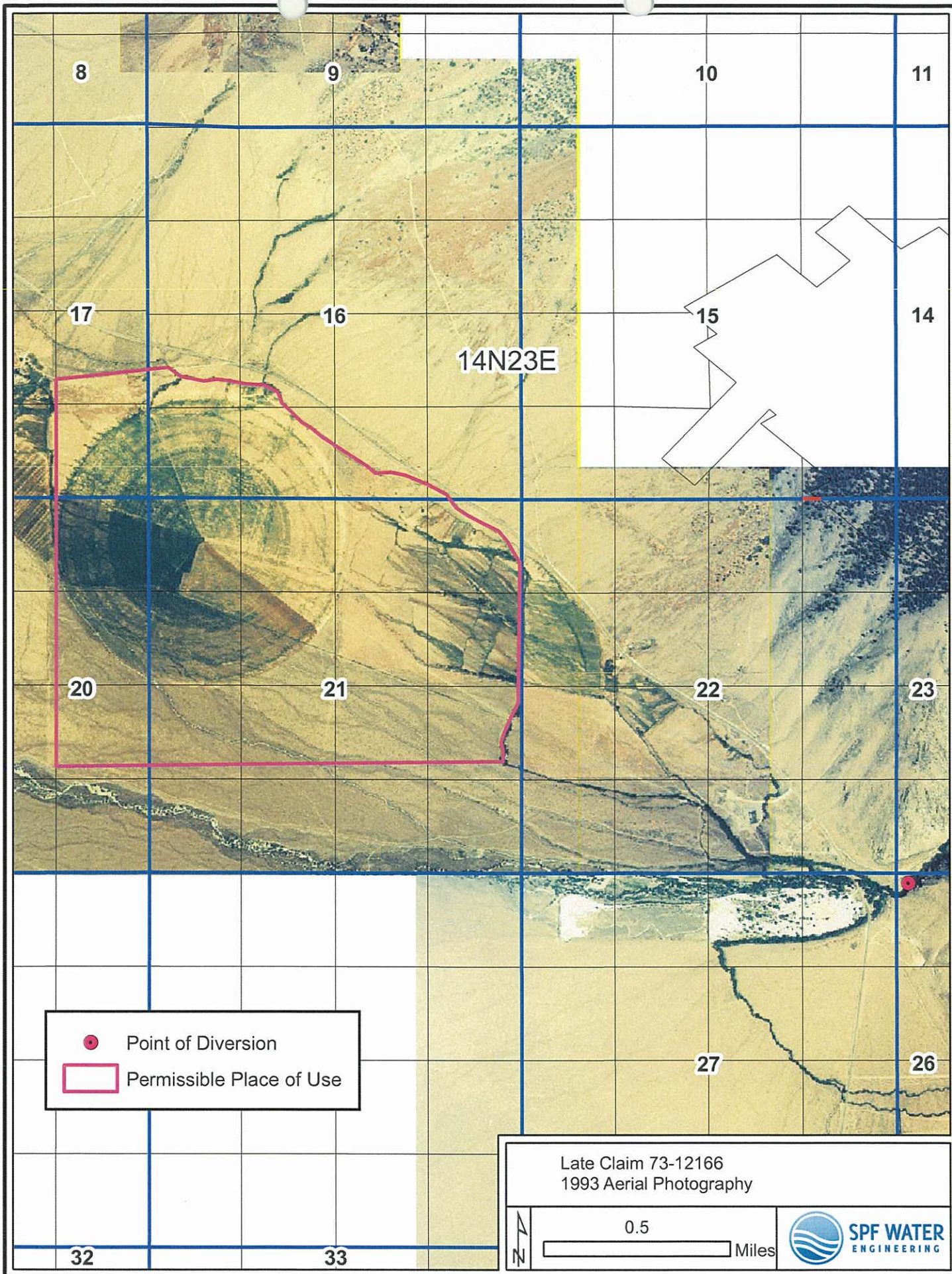
County of Santa Clara

Subscribed and sworn to (or affirmed) before me on this 5th
day of October, 2009, by BEN YATES,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature Marie Joy Peji Rodriguez



Point of Diversion



Permissible Place of Use

Late Claim 73-12166
1993 Aerial Photography



0.5

Miles



SPF WATER
ENGINEERING

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 10/16/, 2009, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

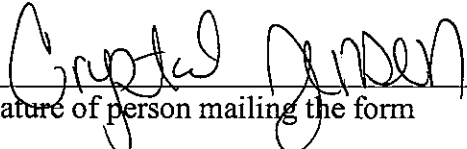
2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.



Signature of person mailing the form