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APR 22 2010

DEPARTMENT OF
WATER RESOURCES

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

APR 21 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

) WATER RIGHT NO: 75-14637

Case No. 39576

) ORDER CONDITIONALLY GRANTING
) LATE NOTICE OF CLAIM
)
)
)
)
)

On January 26, 2010, William G. Slavin and Barbara K. Slavin (collectively "Claimants") filed a *Motion to File Late Notice of Claim* for the above-captioned water right. A hearing on the *Motion* was held on April 20, 2010. No party appeared in opposition to the *Motion*. However, at the hearing the Idaho Department of Water Resources pointed out that there is a clerical error in the way the place of use of the above-captioned water right is claimed in the grid chart contained in the *Notice of Claim*. Following a review of the file and after hearing the comments made in open court, the Court finds that good cause exists for granting the instant *Motion*, provided that Claimants first file and serve, as required by *SRBA Administrative Order 1* ("AOI") section 6, an *Amended Late Notice of Claim* that corrects the above-mentioned clerical error as to the claimed place of use.

THEREFORE, IT IS HEREBY ORDERED that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **conditionally granted** subject to the filing and service, as required by *AOI* section 6, by the Claimants of an *Amended Late Notice of Claim* that corrects the clerical error presently existing in the *Notice of Claim* pertaining to place of use. Upon receipt by this Court of an *Amended Late Notice of*

Claim that conforms with this *Order*, this Court will forward the *Amended Late Notice of Claim* to the Idaho Department of Water Resources for processing.

Dated April 21, 2010



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONDITIONAL GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on April 21, 2010, with sufficient first-class postage to the following:

BARBARA K SLAVIN
WILLIAM G SLAVIN
PO BOX 255
CARMEN, ID 83462
Phone: 208-756-6309

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

Handwritten signature of Julie Murphy in cursive script, written over a horizontal line.

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

RECEIVED

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

APR 22 2010

**DEPARTMENT OF
WATER RESOURCES**

CIVIL CASE NUMBER: 39576

Ident. Number 75-74
Date Received: 4-22-2010
Receipt No: 60180
Received By: SPD

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

Please type or print clearly

1. Name of Claimant (s) William G. Slavin and Barbara K. Slavin Phone (208) 756-6309

Mailing Address P.O. Box 255 CARMEN IDAHO ZIP 83462
Street or Box City State

2. Date of Priority (Only one (1) per claim) 01-01-1896
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) CARMEN CREEK
which is tributary to (b) Salmon River

4. a. Location of Point of Diversion is: Township 22 N, Range 22 E, Section 09,
SW, 1/4 of NW, 1/4 Govt. Lot SW, BM., County of Lemhi

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

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. headgate with ditches to place of use

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 04/01 to 10/31 amount .75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .75 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	22E	5				.6				24	13			15	.5				53.1
22N	22E	8					16												16

Parcel (PIN) no(s). _____

Total number of acres irrigated 69.1

10. In which county (ies) are lands listed above as place of use located? Lemhi

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

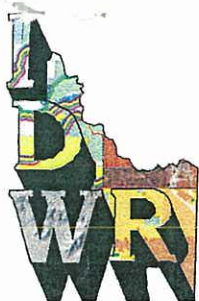
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

75-10061, 75-10062, 75-14421 or None ()

13. Remarks: _____

Last Name _____ Identification No. _____



Idaho Department of Water Resources

75.74

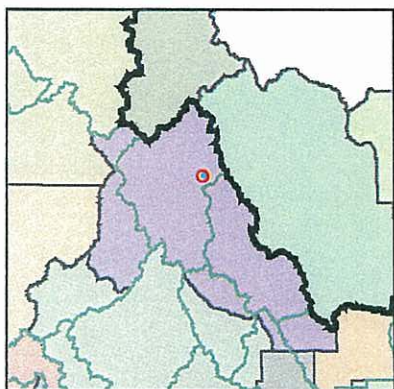
SRBA Recommendation:

~~75-10062E~~

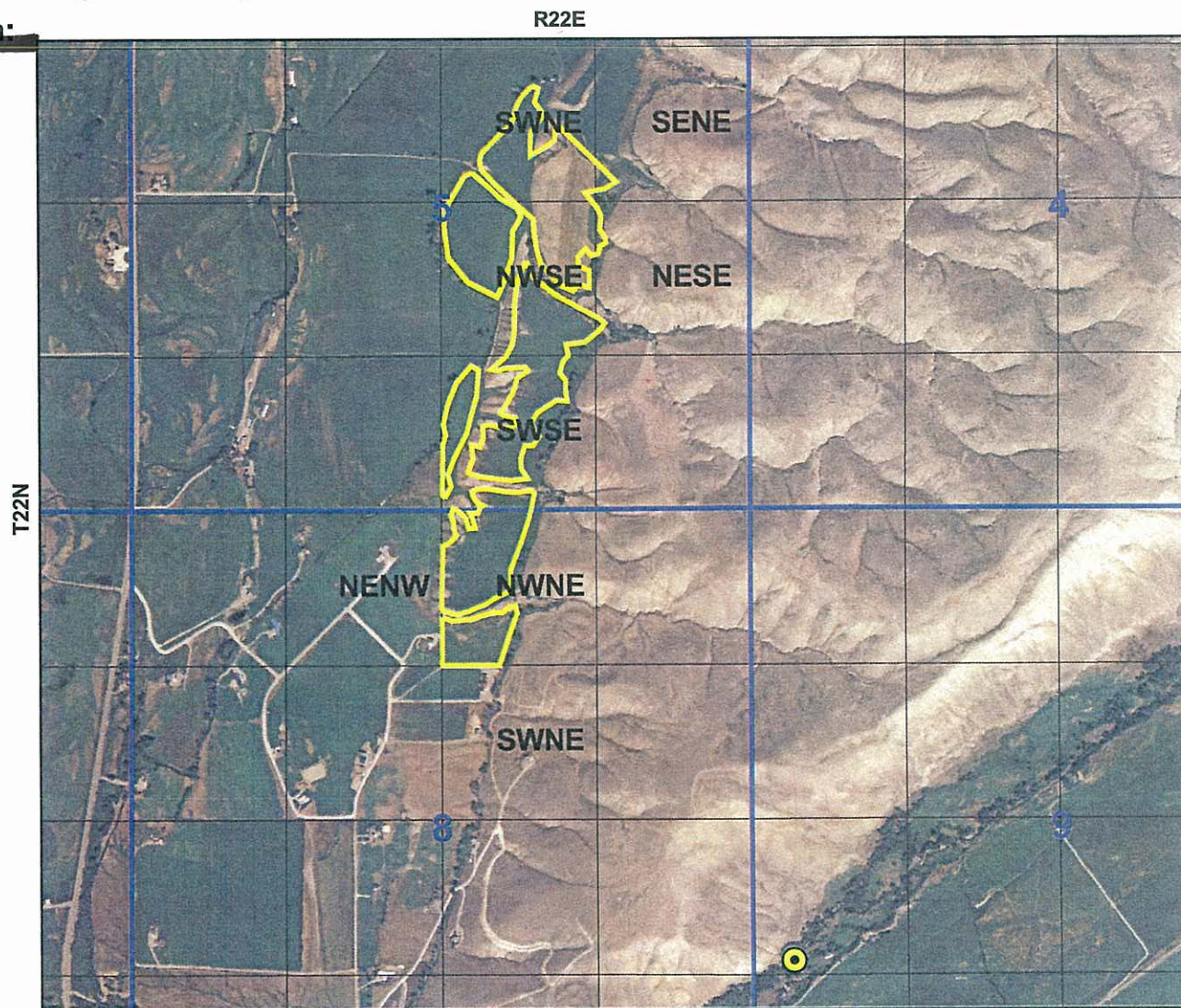
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75

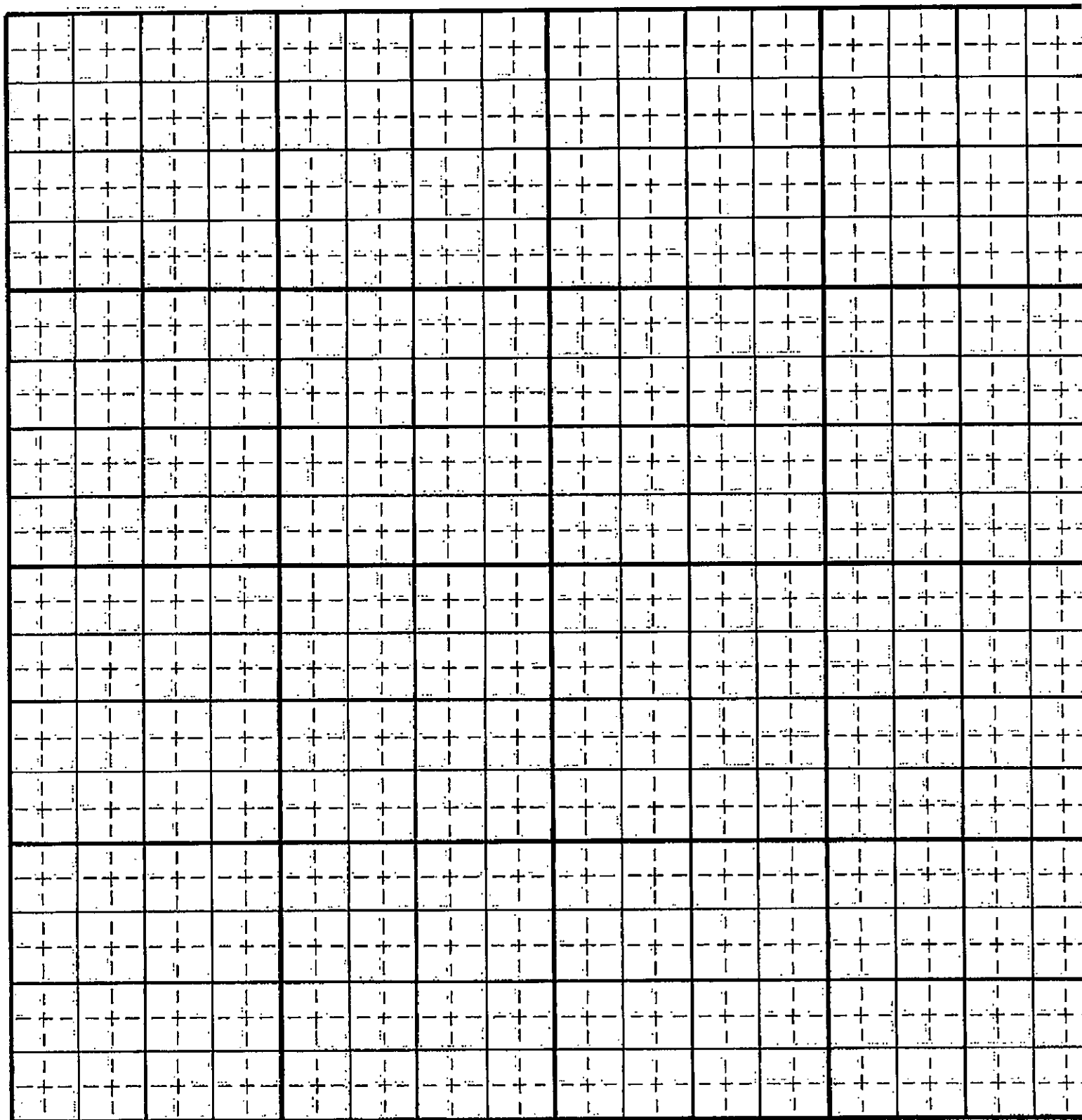


0 0.6 1.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name _____ Identification No. _____

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

Court _____ Decree Date 05-01-1896 Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 75-74 B

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 notices 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 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) William G. Spain Date: 1-21-10
Barkley K. Sloan Date: 1-21-10

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 _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name _____ Identification No. _____