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DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

) Water Right Claims: 75-14639 & 75-14640
)
)
)
)
)

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIMS

On June 18, 2010, DeLoy and Maria Wolfley filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on September 21, 2010. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices 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 claims 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: September 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 GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on September
21, 2010, with sufficient first-class postage to the following:

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

DELOY WOLFLEY
MARIA WOLFLEY
10401 N PECAN
ORO VALLEY, AZ 85737
Phone: 520-742-6808

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 75-14639

Date Received: 9/22/2010

Received by DISTRICT COURT - SRBA
Fifth Judicial District

County of Twin Falls - State of Idaho

JUN 18 2010

By _____

Phone (520) 742-6808 Clerk

Deputy Clerk

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) DELOY WOLFLEY, MARIA WOLFLEY

Mailing Address 10401 N PECAN ORO VALLEY AZ ZIP 85737

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) 05/01/1875
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Davis Creek, Smout Creek

which is tributary to (b) Freeman Creek

4. a. Location of Point of Diversion is: Township 23N, Range 23E, Section 29,
NW, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of LEMHI

Parcel (PIN) no. _____

Additional points of diversion if any: List of PODs in #5

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. Shared PODs with other Wolfley rights: 75-14343, 75-14345,
75-14347 and 75-14349

PODs from Smout Creek: 2 in Section 29 NWSW, one in Section 29 NESE and one in Section 30 NESE

PODs from Davis Creek: One each in Section 30 NESW, NWNE, NWSW and SWNE

Total number of PODs: 8

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/31 amount 0.9 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 0.9 (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	
23N	22E	25				2.5									20			0.1	22.6
23N	22E	36				2.8													2.8
23N	23E	30			3.4				3.7	18.	4.0	7.0			11.		17.	6.9	71.0
23N	23E	31		17			20												37.0

Parcel (PIN) no(s).

Total number of acres irrigated 133.4

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.

75-14343, 75-14345, 75-14347 and 75-14349

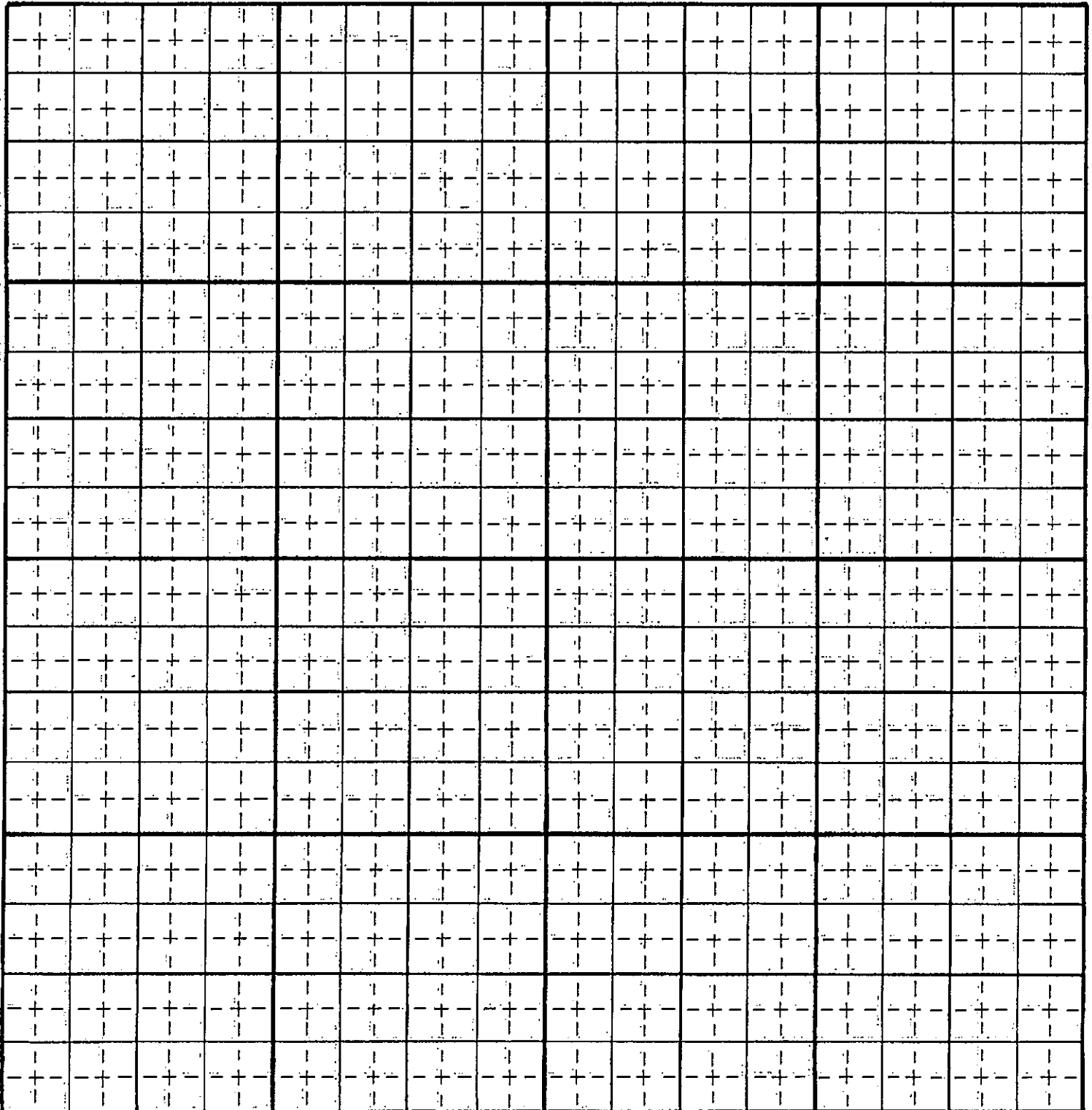
or None ()

13. Remarks: Claim is for proportional share of Ora and William Igou 45 inches of Carmen Creek exchange water

Last Name Identification No.

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 _____ Plaintiff v. Defendant McNutt v. Palmer

If applicable provide IDWR Water Right Number _____

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) DeLy E. Wolfley Date: 6-14-10
Maria Wolfley Date: 6-14-10

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. _____