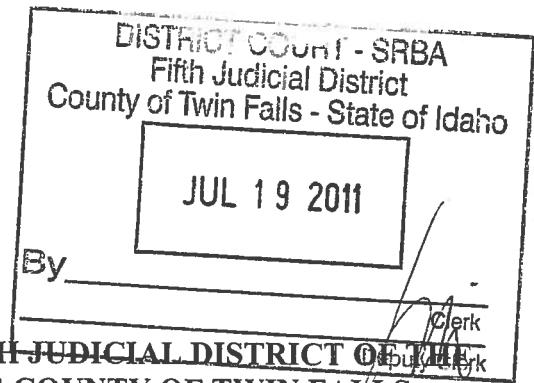


RECEIVED

JUL 20 2011

DEPARTMENT OF
WATER RESOURCES



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: 63-33499

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

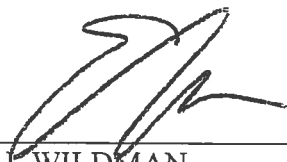
On April 29, 2011, THEDRAKE LLC, by and through counsel, Dana L. Hofstetter, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on July 19, 2011. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, 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: July 19, 2011.



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 July 19, 2011, with sufficient first-class postage to the following:

THEDRAKE LLC

Represented by:

DANA L. HOFSTETTER

608 WEST FRANKLIN STREET

BOISE, ID 83702

Phone: 208-424-7800

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 7/19/11

FILE COPY FOR 02341

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible.

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: 63-33499
Date Received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THEDRAKE LLC
C/O DOUGLAS K. BATES
950 WEST BANNOCK STREET, SUITE 1050
BOISE, IDAHO 83702

Phone: (208)

2. Date of Priority: 01/19/1906

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 OF	1/4 OF	1/4 Lot	County
05N	05W	25	SW	SE	2	CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/1	11/15	0.14	

7. Total Quantity Claimed: 0.14 cfs

8. Non-irrigation uses:

9. Place of use:

TWP	RNG	SEC	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	05W	26						7.5											7.5
								L.4											
Total																			7.5

10. Place of use in counties: CANYON

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used: 63-178, 63-32176

13. Remarks:

14. Basis of Claim: Beneficial Use

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 notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X 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 Manager of BID, LLC, the managing entity of THEDRAKE LLC, that I have signed the foregoing document in the space below as the Manager of BID, LLC, the managing entity of THEDRAKE LLC, and that the statements contained in the foregoing document are true and correct.

Signature of Claimant:



Date: 110428

Douglas K. Bates

Manager of BID, LLC, the managing entity of THEDRAKE LLC

17. NOTICE OF APPEARANCE:

Notice is hereby given that I, DANA L. HOFSTETTER, will be acting as attorney at law on 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



DANA L. HOFSTETTER

Hofstetter Law Office, LLC

Address: 608 West Franklin Street, Boise, Idaho 83702

Date: April 28, 2011