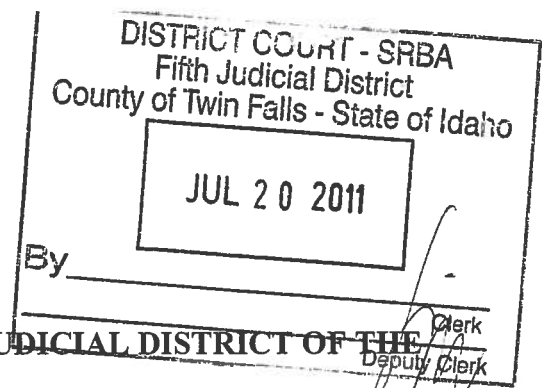


RECEIVED

JUL 21 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

) WATER RIGHT NO: 85-15734

Case No. 39576

) ORDER CONDITIONALLY GRANTING

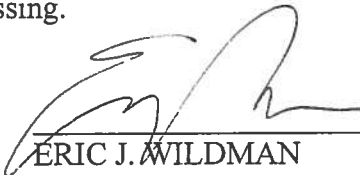
) LATE NOTICE OF CLAIM

)

On June 8, 2010, Claimants Greg and Sharon Dietrich filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearings on the *Motion* were held on June 21, 2011 and July 19, 2011. No party appeared in opposition to the *Motion*. However, at the hearing held on July 19, 2011, the Claimants indicated to the Court that the claimed priority date of January 4, 2011 was in error. The Claimants expressed their intent to change the claimed priority date to a date certain in 2004 to reflect the date water was first used under the 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* with respect to the above-captioned water right claim that corrects the claimed priority date **on or before August 31, 2011**.

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* with respect to the above-captioned water right correcting the claimed priority date **on or before August 31, 2011**. 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 July 20, 2011


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 LATE NOTICE OF CLAIM was mailed on July 20, 2011, with sufficient first-class postage to the following:

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

GREG DIETRICH
SHARON DIETRICH
13313 REMUDA CANYON
LEWISTON, ID 83501
Phone: 208-798-4534

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "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**

Snake River Basin
Fifth Judicial District
County of Twin Falls - Civil Cases

CIVIL CASE NUMBER: 39576

Ident. Number 85-15734

Date Received:

Receipt No: C093605

Received By: _____

FEB 17 2011

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) Greg and Sharon Dietrich Phone (208) 798-4534

Mailing Address 13313 Remuda Canyon Lewiston ID Zip 83,501
Street or Box City State

2. Date of Priority: (Only one per claim) 01/04/2011
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water ☒ or Other ☐ (a) well
which is tributary to (b) _____

4. Location of Point of Diversion is: Township 35N, Range 5W, Section 29,
SE 1/4 of SW 1/4, or Govt. Lot _____ BM., County of Nez Perce;

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

Well, 500 feet

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from 1/1 to 12/31 amount 0.02
Month/Day Month/Day cfs ☐ or AFY ☐

For Stockwater purposes from 1/1 to 12/31 amount 0.02

7. Total Quantity claimed 0.04 cfs ☒ or AFY ☐

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) Domestic: 2 households served with single ownership,

Stockwatering: 30 horses and cows

9. Location of Place of Use is: Township 35N, Range 5W, Section 29,
SE 1/4 of SW 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____
If different than shown in Item 4
for (Check One) Domestic ☐ Stock ☐ Domestic and Stock ☒

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes ☒ No ☐

If the 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.

None ☐ in process of filing for irrigation rights. _____

13. Remarks:

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

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 notice in the Snake River Basin Adjudication." (b.) I/We do ☐ wish to receive do not ☒ 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) _____ Date: _____

_____ Date: _____

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. _____