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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
NOV 17 2011

By

Cliff
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: 65-00265

Case No. 39576

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

On July 27, 2011, Vince and Therese Lombardo filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on November 15, 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 and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. It was determined during the hearing that no filing fee is required for this water right. 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: November 17, 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 November 17, 2011, with sufficient first-class postage to the following:

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

THERESE LOMBARDO
VINCE LOMBARDO
1818 BROGAN RD N
EMMETT, ID 83617
Phone: 831-235-1576

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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

JUL 27 2011

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

Clerk

Deputy Clerk

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 65-265

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Vince & Therese Lombardo Phone ⁸³¹ ~~(208)~~ 235-1576

Mailing Address 1818 Bryan Rd. N Emmett ID. ZIP 83617
Street or Box City State

2. Date of Priority (Only one (1) per claim) 4-1-1950
Month Day Year (YYY)

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

4. a. Location of Point of Diversion is: Township 06N, Range 03W, Section 1,
SW, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Gem

Parcel (PIN) no. RP00382500

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. well with pump

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Domestic purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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.) Domestic 1 Home 2 Horses 1 cow

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.

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	3W	1			X														

Parcel (PIN) no(s) RP00382500

Total number of acres irrigated _____

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

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

N/A

or None (X)

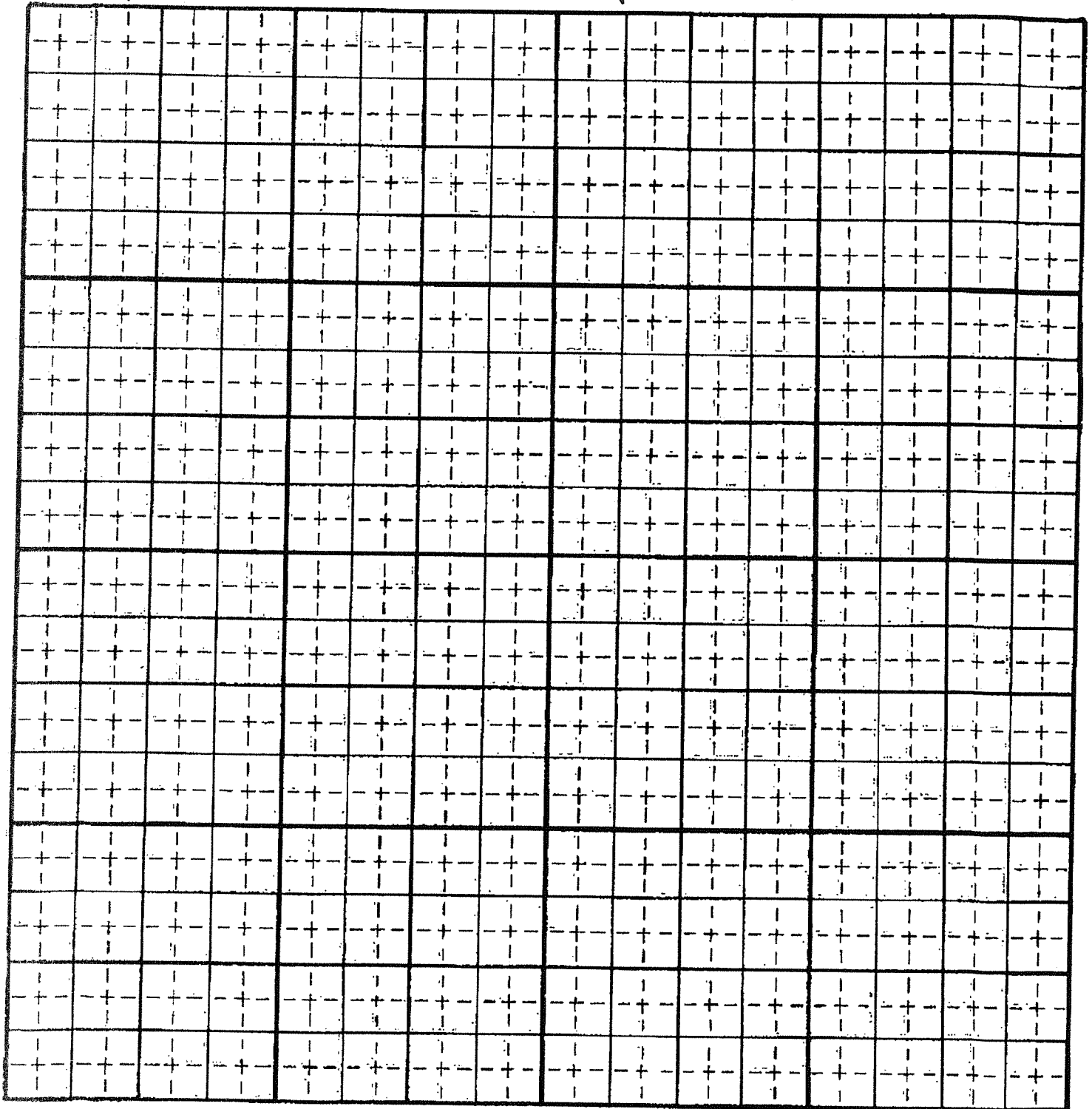
13. Remarks: existing well is in place and is in continuous use.

Last Name _____ Identification No. _____

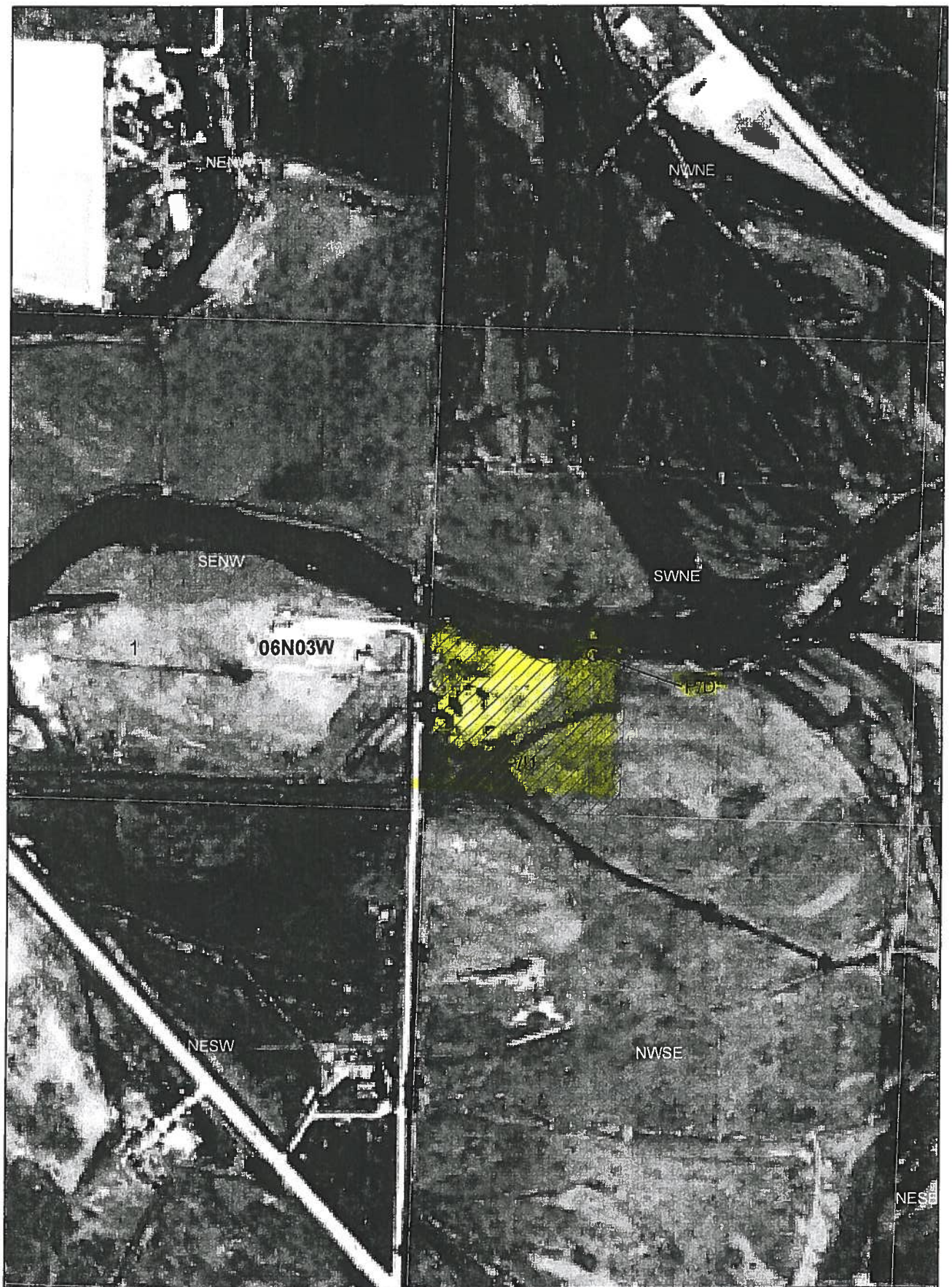
Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile

See attached photo copy



Last Name _____ Identification No. _____



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

Court 3rd district Decree Date 1-21-1986 Plaintiff v. Defendant AEC Corp. et al

If applicable provide IDWR Water Right Number 65-265

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) U. H. Lode Date: 6-14-11

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Title of _____ Organization

that I have signed the foregoing document in the space below as

Title of _____ 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. _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-265

WATER RIGHT NUMBER: 65-265

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TILDEN L PERRIGO 1818 GROGAN RD EMMETT, ID 83617

Priority Date: 04/01/1950

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.040 CFS	1.20 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 1, Twp 06N, Rge 03W, B.M.
GEM County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06N	03W	1	X				

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-265

Licensed Date:

Decreed Date: 1/21/1986

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 65

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant: A & C Corp, et al

Decree Plaintiff: State of Idaho

Civil Case Number: 3667

Judicial District: Third District

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

EXHIBIT A

TRACT I

That portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, Township 6 North, Range 3 West, B.M., Gem County, Idaho, described as follows:

BEGINNING at the Southwest corner of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, T. 6 N., R. 3 W., B.M.; thence

East on the South line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, 530 feet; thence

North about 400 feet to the South bank of the Seven Mile Slough; thence in a Northwesterly direction along the South bank of the Seven Mile Slough to the intersection of the South bank of the Seven Mile Slough and the West line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1; thence

South on the West line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1 to the **REAL POINT OF BEGINNING**.

TRACT II

A 22 foot wide ingress/egress easement as granted on Easement Deed recorded May 2, 2006 as Instrument Number 251271, Official Records of Gem County.

AND

A 22 foot wide ingress/egress easement as granted on Easement Deeds recorded on May 5, 2006 as Instrument Numbers 251347 and 251348, Official Records of Gem County.