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MAR 22 2012  
DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |
|-------------------------------------------------------------------------------------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| MAR 21 2012                                                                               |
| By _____<br>Clerk<br>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 NOS: 37-22670 & 37-22671 |
|                | ) |                                      |
| Case No. 39576 | ) | ORDER GRANTING LATE NOTICES OF       |
|                | ) | CLAIM                                |
|                | ) |                                      |
|                | ) |                                      |

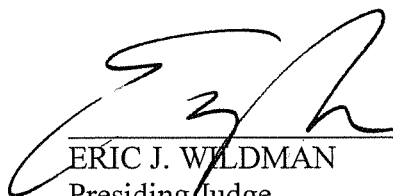
On December 30, 2011, the City of Hailey, by and through counsel Michael C. Creamer, filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on March 20, 2012. No party appeared in opposition to the *Motions*. However, at the hearing an issue was raised regarding the payment of the appropriate filing fees associated with the late claims. IDWR notified the Court that the filing fees for the late claims had been underpaid by the sum of \$50.00 per claim, for a total deficiency of \$100.00. Counsel for the City of Hailey represented to the Court that the Claimant was aware of the \$100.00 deficiency and that payment of the deficiency was presently in transit to IDWR.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for 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 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 March 21, 2012.

  
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 March 21,  
2012, with sufficient first-class postage to the following:

CITY OF HAILEY

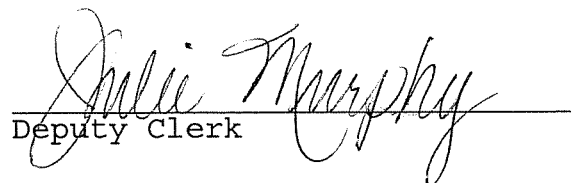
Represented by:  
MICHAEL C CREAMER  
601 W BANNOCK ST  
PO BOX 2720  
BOISE, ID 83701-2720  
Phone: 208-388-1200

CITY OF HAILEY

Represented by:  
NUNEZ, KELSEY J  
GIVENS PURSLEY LLP  
601 W BANNOCK ST  
PO BOX 2720  
BOISE, ID 83701-2720  
Phone: 208-388-1200

DIRECTOR OF IDWR

PO BOX 83720  
BOISE, ID 83720-0098

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".

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DEPARTMENT OF  
WATER RESOURCES

SRBA Form No.42-1409-1 (Internet 2/09)

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

DEC 30 2011

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-22670

Date Received:

Receipt No: CO 94905 + CO 94910

Received By:

NOTICE OF CLAIM  
TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Hailey Phone (208) 788-4221

Mailing Address 115 S. Main St., #H Hailey ID 83333  
Street or Box City State ZIP

2. Date of Priority (Only one (1) per claim) November 1, 1907  
Month Day Year (YYYY)

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 2N, Range 18E, Section 9,  
SE, 1/4 of NW, 1/4 Govt. Lot \_\_\_\_\_, BM., County of Blaine

Parcel (PIN) no. \_\_\_\_\_

Additional points of diversion if any: SESE S9, SWSE S10, all in T2N R18E, BM

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. Existing diversion works and municipal water supply system.

6. Water is claimed for the following purposes:

(both dates are Inclusive MM-DD)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount 1.78 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 1.78 (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.) municipal use by the City of Hailey

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 |        |
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Place of use is within the service area of the applicant's municipal water supply system as provided for under Idaho Law.

Parcel (PIN) no(s). \_\_\_\_\_

Total number of acres irrigated \_\_\_\_\_

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

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.

See Remarks section below.

or None ( )

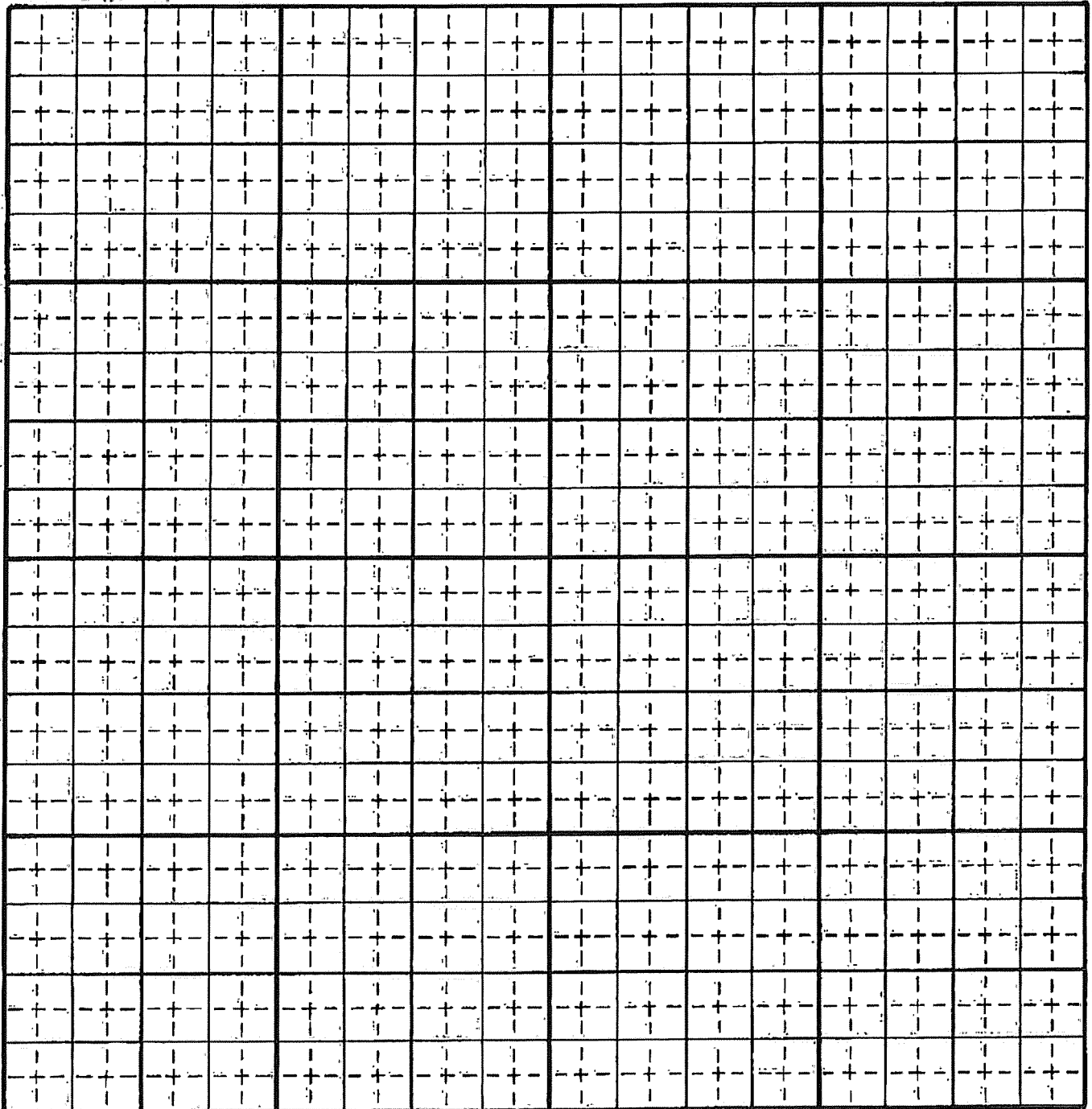
13. Remarks: Other water rights used at the same place and for the same purpose: 37-296A, 37-717, 37-1216, 37-906, 37-10717, 37-2698, 37-2699, 37-7305, 37-8837.

This claim is made pursuant to §42-1425, I.C., as an accomplished transfer of the point of diversion from the original location as shown on a map created by the Sanborn Map Company dated November 1907 (attached), to the points of diversion operated by the City of Hailey and supplying water to the municipal water system on or before November 19, 1987.

Last Name City of Hailey 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 Map



Last Name City of Hailey Identification No. \_\_\_\_\_

14. Basis of Claim (Check One) Beneficial Use ( ☒ ) Posted Notice ( ☐ ) License ( ☐ ) Permt ( ☐ ) 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 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) \_\_\_\_\_ 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, Michael C. Creamer, 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.

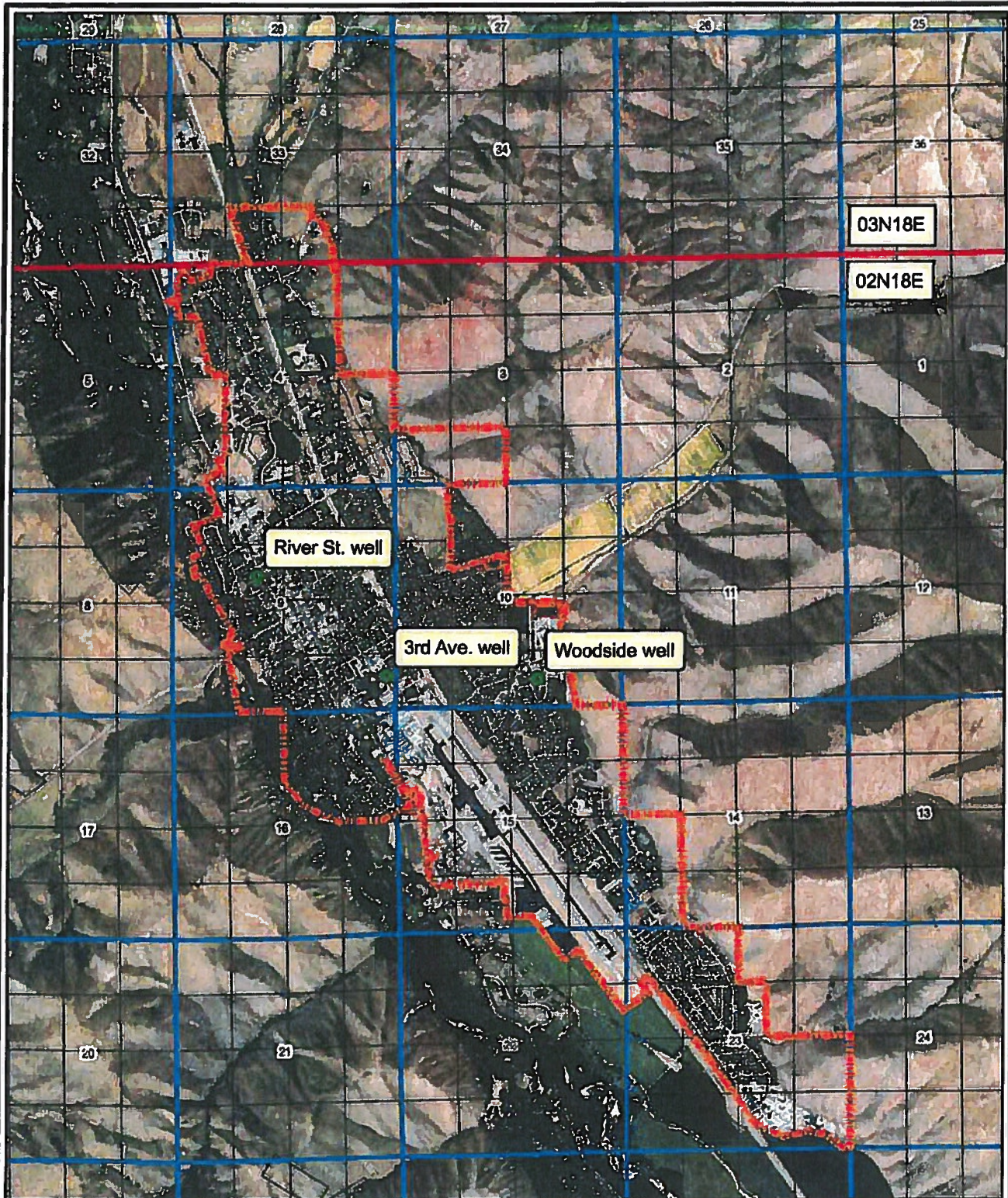
Signature Michael C. Creamer Date 12/29/11

Address Givens Pursley LLP

P.O. Box 2720

Boise, ID 83701

Last Name City of Hailey Identification No. \_\_\_\_\_



Point of Diversion



Place of Use (Municipal Boundary)

City of Hailey - "Cramer Well" Late Claims  
2011 NAIP Photography



0.5

Miles



SPF WATER  
ENGINEERING

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DEPARTMENT OF  
WATER RESOURCES

SRBA Form No.42-1409-1 (Internet 2/09)

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

DEC 30 2011

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
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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 37-22671

Date Received:

Receipt No: CO 94905 + CO 94910

Received By: \_\_\_\_\_

NOTICE OF CLAIM  
TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) City of Hailey Phone (208) 788-4221

Mailing Address 115 S. Main St., #H Hailey ID 83333  
Street or Box City State ZIP

2. Date of Priority (Only one (1) per claim) September 1, 1931  
Month Day Year (YYYY)

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 2N, Range 18E, Section 9,  
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Parcel (PIN) no. \_\_\_\_\_

Additional points of diversion if any: SESE S9, SWSE S10, all in T2N R18E, BM

If available, GPS Coordinates \_\_\_\_\_

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

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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. Existing diversion works and municipal water supply system.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount 0.60 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

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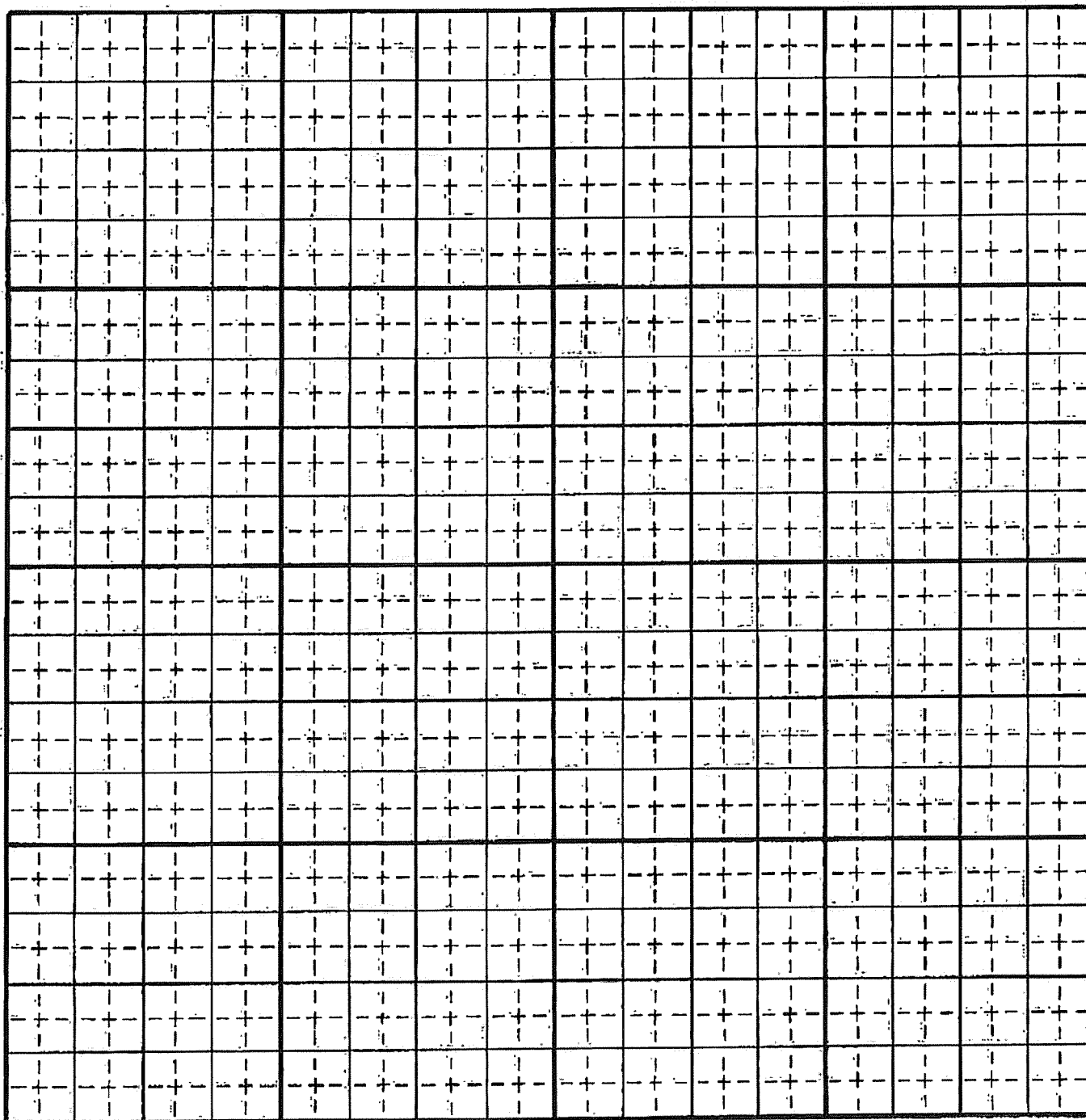
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Last Name City of Hailey Identification No. \_\_\_\_\_

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Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff v. Defendant \_\_\_\_\_

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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 \_\_\_\_\_

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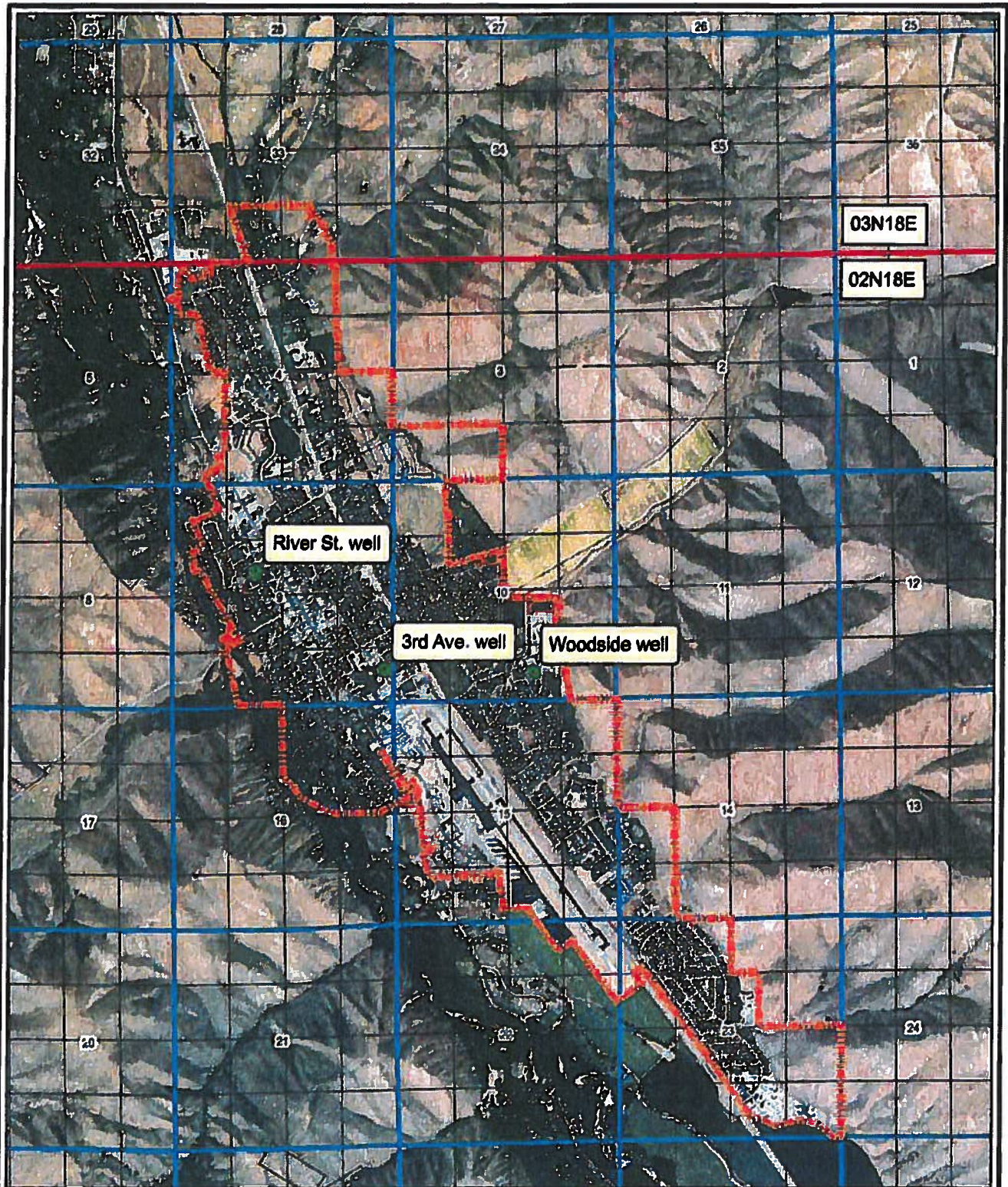
Signature Michael C. Given Date 12/29/2011

Address Given Puzley LLP

P.O. Box 2720

Boise, ID 83701

Last Name City of Halley Identification No. \_\_\_\_\_



- Point of Diversion
-  Place of Use (Municipal Boundary)

City of Hailey - "Cramer Well" Late Claims  
2011 NAIP Photography



0.5  
Miles

