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DEC 20 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
DEC 19 2012
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	)	**Water Right Claim: 47-07574**
	)	
Case No. 39576	)	**ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM**
	)	
	)	
	)	

On September 25, 2012, Gary and Donna Legler filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on December 18, 2012. 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: December 19, 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 MOTION TO FILE LATE NOTICE OF CLAIM was mailed on December 19, 2012, with sufficient first-class postage to the following:

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

DONNA LEGLER
GARY F LEGLER
4592B RIVER RD
BUHL, ID 83316
Phone: 208-944-9588

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

RECEIVED
DEC 21 2012
DEPT. OF WATER RESOURCES

Ident. Number 47-7574
Date Received: 9/24/2012
Receipt No: C096347
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
SEP 25 2012
By
Deputy

1. Name of Claimant(s)

DONNA LEGLER Phone: (208)944-9588
4592B RIVER RD
BUHL ID USA 83316

GARY F legler Phone: (208)944-9588
4592B RIVER RD
BUHL ID USA 83316

2. Date of Priority: 09/20/1979

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
09S	14E	9	SE	NE	TWIN FALLS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.03	4
HEATING	1/01	12/31	0.12	21
DOMESTIC	1/01	12/31	0.04	1.2
RECREATION	1/01	12/31	0.29	112.8

7. Total Quantity Appropriated is:
0.4 C.F.S. and/or 139 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	10	SW	NW	2	IRRIGATION	1
						Section Acres	1
						Total Acres	1

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

Domestic use is for 1 home.

Temporary record pending SF-4 decision from SRBA court.

15. Basis of Claim: License

16. 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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: 9-24-12

_____ Date: _____

State of Idaho)
) SS.
County of _____)

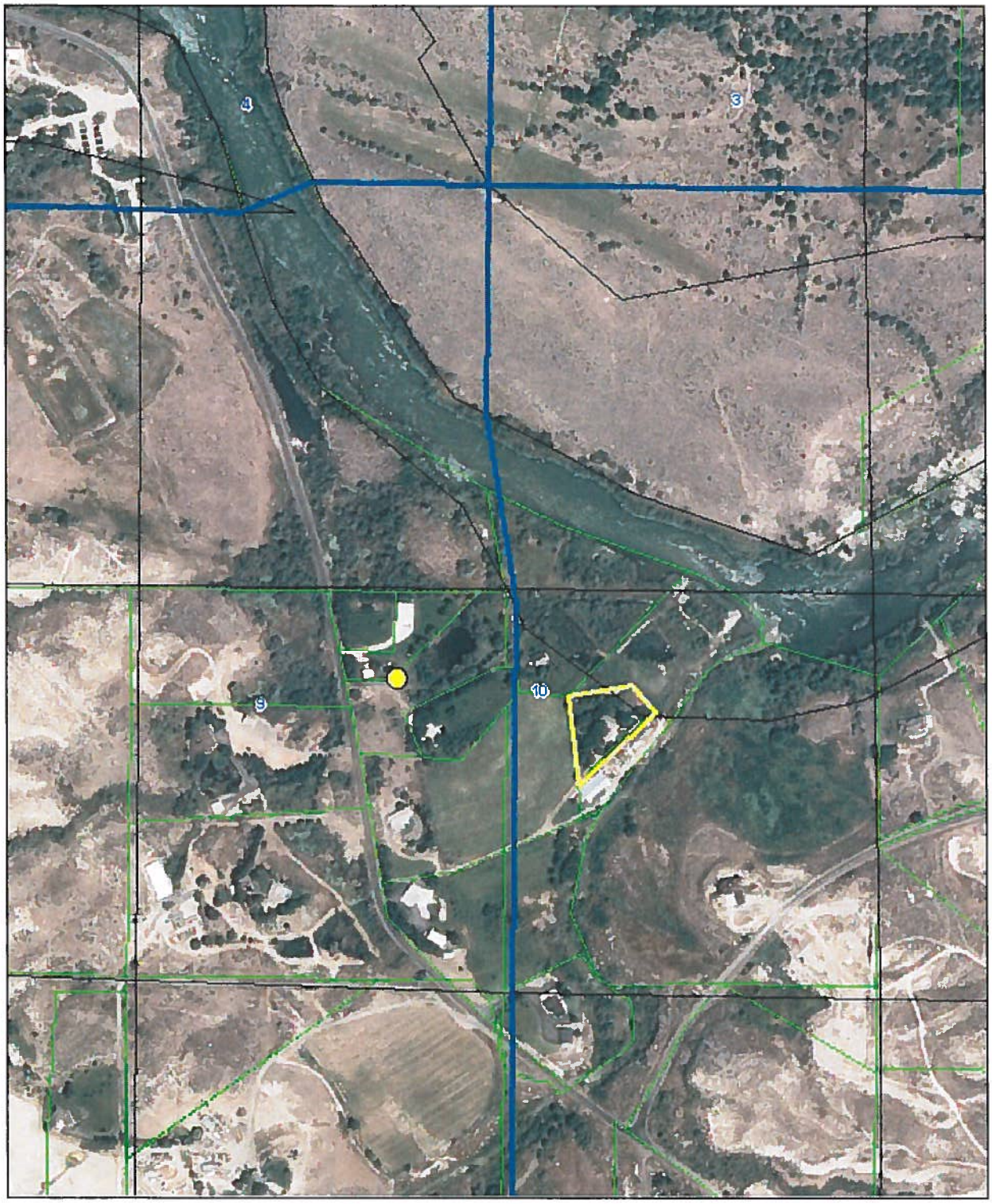
Subscribed and sworn (or affirmed) before me this

of _____ 20__

_____
Notary Public

Residing at _____

My commission Expires _____



47-7574

Motion for Late Claim

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07574

Priority: September 20, 1979 Maximum Diversion Rate: 0.40 CFS
Maximum Diversion Volume:[1] 139.0 AF

This is to certify, that BOYD P. GRUVER
IRIS FAY GRUVER
RT.3 BOX 230
BUHL, ID 83316 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 6, 1979; and has submitted Proof of Beneficial Use on October 15, 1984. An examination indicates that the works have a diversion capacity of .530 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	4.0 AF
HEATING	01/01 to 12/31	0.12 CFS	21.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
RECREATION	01/01 to 12/31	0.29 CFS	112.8 AF
	Totals	0.40 CFS	139.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 9, Township 09S, Range 14E
TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
09S	14E	10	LOT 2(SWNW)	1			1
					Total number of acres irrigated:		1

PLACE OF USE: HEATING, same as IRRIGATION use
PLACE OF USE: DOMESTIC, same as IRRIGATION use
PLACE OF USE: RECREATION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

MICROFILMED
MAY 18 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07574

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6TH day of MAY, 1992.

Acting for R. Keith Higginson, Director

AMENDED

MAY 18 1992