

DEPARTMENT OF
WATER RESOURCES

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

APR 17 2013

By

Clerk

Dy: ~~7/1~~ 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: 63-02429

Case No. 39576

ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM

On January 30, 2013, George Ray Obendorf, Co-Trustee of the Marjorie Dorolene Obendorf Marital Trust No. 2, and William K. Richards, Nancy K. Richards and Morgan W. Richards, 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 April 16, 2013. 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: April 17, 2013.

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 April 17, 2013, with sufficient first-class postage to the following:

GEORGE RAY OBENDORF AND
MORGAN W RICHARDS JR
NANCY K RICHARDS
WILLIAM K RICHARDS

Represented by:
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE, ID 83702-5509
Phone: 208-424-7800

U.S. BANK, N.A., CO-TRUSTEES
MARJORIE DOROLENE OBENDORF
MARITAL TRUST NO. 2
101 S CAPITOL BLVD 9TH FL
BOISE, ID 83702

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

ORDER

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FILE COPY FOR 02392

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~~

RECEIVED

CIVIL CASE NUMBER: 39576

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

APR 18 2013
DEPARTMENT OF
WATER RESOURCES

Ident. Number: 63-2429
Date Received: 4-18-13
Receipt No: C6910999
Received By: BD

JAN 30 2013

By _____

Deputy Clerk

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GEORGE RAY OBENDORF AND
U.S. BANK, N.A., AS CO-TRUSTEES OF THE
MARJORIE DOROLENE OBENDORF
MARITAL TRUST NO. 2 (UNDIVIDED ½ INTEREST)
101 SOUTH CAPITOL BOULEVARD, 9TH FLOOR
BOISE, IDAHO 83702

Phone: (208)482-7397

WILLIAM K. RICHARDS (UNDIVIDED ½ INTEREST)
NANCY K. RICHARDS
MORGAN W. RICHARDS, JR.
5156 EAST BRANCHWOOD DRIVE
BOISE, IDAHO 83716

Phone: (208)283-0334

2. Date of Priority: 04/04/1930

3. Source: KEISEL DRAIN
SPRINGS

Trib. to: BOISE RIVER
KEISEL DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 OF 1/4 OF 1/4 Lot	County
05N	05W	10	NE SW 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	2.40	

7. Total Quantity Claimed:
2.40 cfs

8. Non-irrigation uses:

9. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
05N	05W	10							30	20	30	40							120
Total																			120

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: 63-8645

13. Remarks:

14. Basis of Claim: LICENSE

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: 0.

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): Morgan W. Richards, Jr. Date: 1/29/2013
Morgan W. Richards, Jr.

For Organizations:

I/We do solemnly swear or affirm under penalty of perjury that I am a Co-Trustee, of the Marjorie Dorolene Obendorf Marital Trust Number 2, that I have signed the foregoing document in the space below as the Co-Trustee, of the Marjorie Dorolene Obendorf Marital Trust Number 2, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent: _____ Date: _____
George Ray Obendorf, Co-Trustee
Marjorie Dorolene Obendorf Marital Trust Number 2

16. 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 Hofstetter
DANA L. HOFSTETTER
Hofstetter Law Office, LLC

Address: 608 West Franklin Street, Boise, Idaho 83702

Date: January 30, 2013

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: 63-2429
Date Received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GEORGE RAY OBENDORF AND
U.S. BANK, N.A., AS CO-TRUSTEES OF THE
MARJORIE DOROLENE OBENDORF
MARITAL TRUST NO. 2 (UNDIVIDED $\frac{1}{2}$ INTEREST)
101 SOUTH CAPITOL BOULEVARD, 9TH FLOOR
BOISE, IDAHO 83702

Phone: (208) 482-7397

WILLIAM K. RICHARDS (UNDIVIDED $\frac{1}{2}$ INTEREST)
NANCY K. RICHARDS
MORGAN W. RICHARDS, JR.
5156 EAST BRANCHWOOD DRIVE
BOISE, IDAHO 83716

Phone: (208) 283-0334

2. Date of Priority: 04/04/1930

3. Source: KEISEL DRAIN
SPRINGS

Trib. to: BOISE RIVER
KEISEL DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 OF	1/4 OF	1/4 Lot	County
05N	05W	10	NE	SW	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	2.40	

7. Total Quantity Claimed:
2.40 cfs

8. Non-irrigation uses:

9. Place of use:

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
05N	05W	10							30	20	30	40							120
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14. Basis of Claim: LICENSE

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Number of attachments: 0

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: _____
Morgan W. Richards, Jr.

For Organizations:

I/We do solemnly swear or affirm under penalty of perjury that I am a Co-Trustee, of the Marjorie Dorolene Obendorf Marital Trust Number 2, that I have signed the foregoing document in the space below as the Co-Trustee, of the Marjorie Dorolene Obendorf Marital Trust Number 2, and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent: George Ray Obendorf Date: 1-30-13
George Ray Obendorf, Co-Trustee
Marjorie Dorolene Obendorf Marital Trust Number 2

16. 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 Hofstetter
DANA L. HOFSTETTER
Hofstetter Law Office, LLC

Address: 608 West Franklin Street, Boise, Idaho 83702

Date: January 30, 2013