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702 West Idaho Street
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JAN 19 1995

OFFICE OF THE
ATTORNEY GENERAL

1995 JAN 17 PM 5:04
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

Attorney for the Estate of
Opal Laurel Holmes Fisher

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 No. 36-15476

Case No. 39576

ORDER GRANTING MOTION TO FILE
A LATE NOTICE OF CLAIM

95-01-0046

The Motion to File a Late Notice of Claim filed on behalf of the Estate of Opal Laurel Holmes Fisher was heard by this Court on January 17, 1995, after proper notice. Based upon a review of the pleadings and comments of counsel at the hearing, the Court finds good cause for granting the motion.

IT IS HEREBY ORDERED that petitioner's Motion to File a Late Notice of Claim on behalf of the Estate of Opal Laurel Holmes Fisher is granted.

DATED this 17 day of January, 1995.


HONORABLE DANIEL C. HURLBUTT

1 - ORDER GRANTING MOTION TO FILE
A LATE NOTICE OF CLAIM

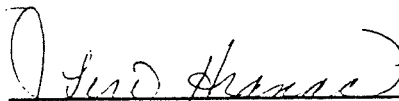
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE A LATE NOTICE OF CLAIM** was mailed on January 18, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724

Scott Campbell
Elam & Burke
P.O. Box 1539
Boise, ID 83701-1539



Deputy Clerk

ELAM & BURKE

A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
P.O. BOX 1539 BOISE, IDAHO 83701
(208) 384-5844

DATE

12-12-94

KEY BANK OF IDAHO
CAPITAL CENTER OFFICE
BOISE, IDAHO 83701

92-155 / 1241

AMOUNT PAID

*****200.00

PAY TWO HUNDRED ***** 00/100 DOLLARS

TO THE
ORDER OF

IDAHO DEPT. OF WATER RESOURCES
1301 NO. ORCHARD STREET
STATEHOUSE MAIL
BOISE ID 83720-9000

ELAM & BURKE




4429

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 _____

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Grant R. Fisher, Special Administrator for the
Estate of Opal Laurel Holmes Fisher Phone (208) 343-5454
Mailing Address c/o Melville W. Fisher, II, Elam & Burke
P.O. Box 1539, Boise, ID Zip 83701

2. Date of Priority (Only one (1) per claim) June 1, 1954

3. Source of water supply (a) Unnamed Spring
which is tributary to (b) Billingsly Creek

4. a. Location of existing point of diversion is: Township 7S Range 14E Section 18,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, 4 B.M., County of Gooding

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., 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. Spring flows into lake which is
formed in a depression located on property owned by the estate.
Lake is approximately 2-3 acres in surface area. Lake varies
in depth from 12 feet at the deepest point.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Aesthetic purposes from 1/1 to 12/31 amount 1.0 or 36

For Recreation purposes from 1/1 to 12/31 amount 1.0 or 36

For Wildlife purposes from 1/1 to 12/31 amount 1.0 or 36

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) 36 (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Aesthetic, recreation and wildlife use

10. 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 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	14E	18																	

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes XX No _____

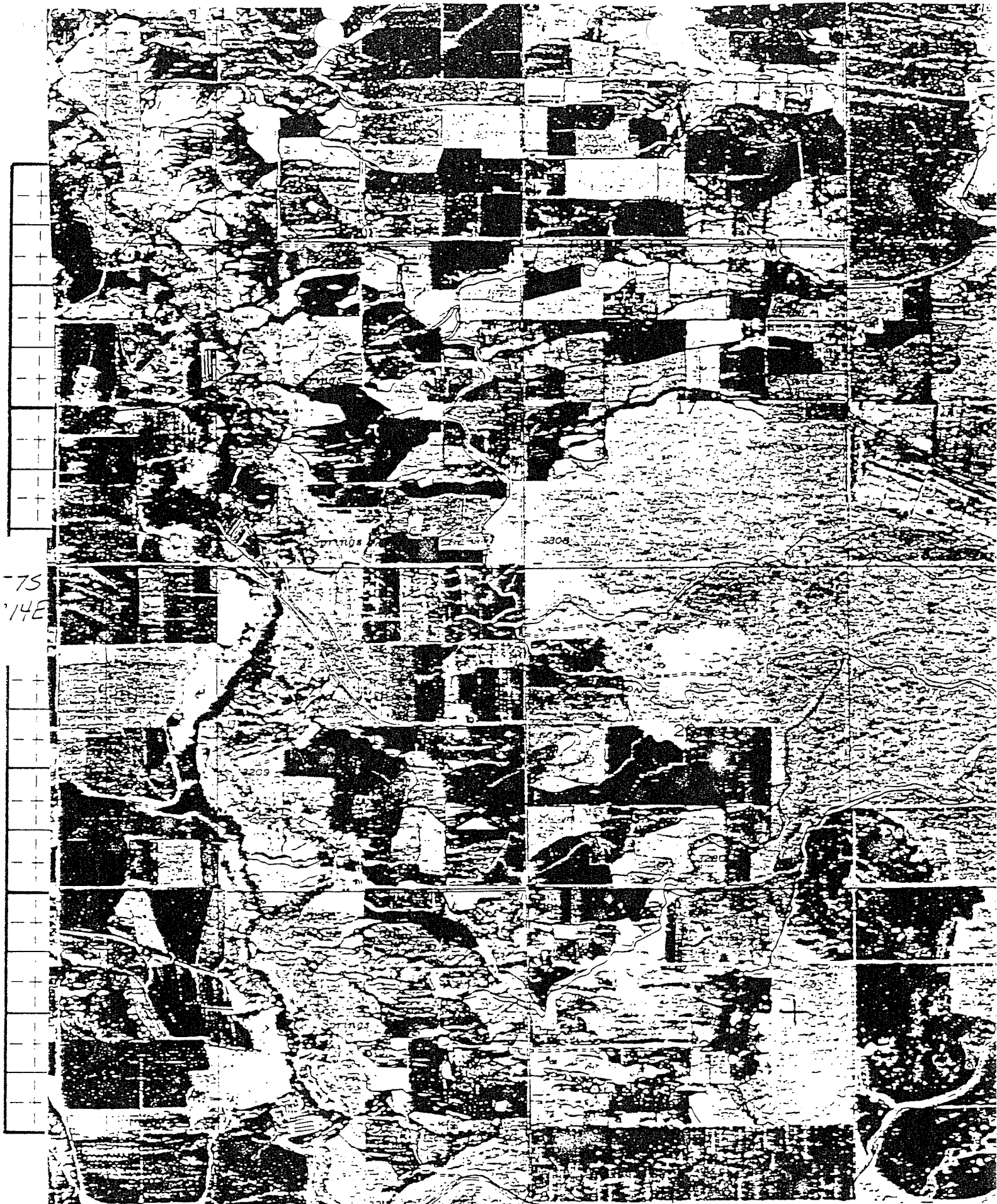
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None XXX

14. Remarks:

Last Name Fisher Ident No. _____

Copies: White -State, Yellow-Claimant



Last Name Fisher

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use XXX Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 XXX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

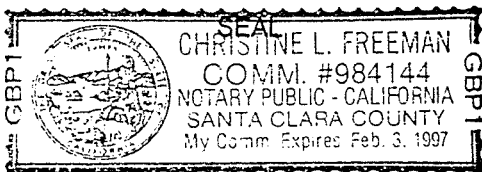
For Organizations: I do solemnly swear or affirm that I am Special Administrator
Title
of the Estate of Opal Laurel Holmes Fisher, that I have signed the foregoing
Organization
document in the space below as Special Administrator of the Estate of Opal Laurel Holmes
Title Organization Fisher
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Special Administrator-Estate of Opal Date _____
Laurel Holmes Fisher

State of ~~Idaho~~ or California)
County of Santa Clara) SS.

Subscribed and sworn (or affirmed) before me this 28th day of October 19 94



Notary Public [Signature]

Residing at San Jose, CA

My Commission Expires 2-3-97

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name Fisher Ident. Number _____