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ATTORNEY GENERAL

1995 JAN 18 AM 9:16

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

Case No. 39576

) Subcase No.: 34-02316B

) ORDER GRANTING MOTION TO
) FILE A LATE CLAIM
)
)
)
)

95-01-0055

A hearing on the *Motion to File a Late Notice of Claim* filed by Dana Hoffstetter on behalf of the Estate of Orvil Adams was held on January 17, 1995.

There was no opposition to the motion. For good cause appearing, IT IS ORDERED that the *Motion to File a Late Notice of Claim* is GRANTED.

IT IS SO ORDERED.

DATED January 18, 1995.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

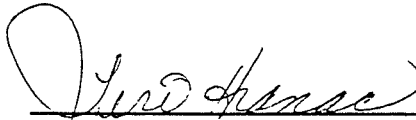
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE A LATE 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

Dana Hoffstetter
Holland & Hart
P.O. Box 2527
Boise, ID 83701



Deputy Clerk

HOLLAND & HART
ATTORNEYS AT LAW

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702
MAILING ADDRESS:
P.O. BOX 2527
BOISE, IDAHO 83701

WEST ONE BANK, IDAHO, N.A.
92-11124

12455

DATE

January 11, 1995

AMOUNT

PAY TO THE ORDER OF One Hundred Twenty Three and no/100 Dollars

\$ **123.00**

TO THE
ORDER
OF

Idaho Department of Water Resources

HOLLAND & HART

VOID AFTER 6 MONTHS

[Signature]

~~VOID AFTER 6 MONTHS~~

HOLLAND & HART SUITE 1400 • WEST ONE PLAZA • BOISE, IDAHO 83702

12455

Adams
35528-3901
Filing Fee for SRBA Claim #A34-02316B

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 A34-02316B

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) Estate of Orvil S. Adams
Eva Lambert, Personal Representative Phone (208) 588-2290

Mailing Address Rte 1, Box 20, Mackay, Idaho Zip 83251

2. Date of Priority (Only one (1) per claim) December 24, 1954

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6N Range 25E Section 5,
NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, 2 B.M., County of Custer

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. Well, pump and sprinkler system.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 11/01 amount 0.44 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.44 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 57.5 acre feet per annum.

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

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	
6N	25E	5		23															23
				(lot 2)															

Total number of acres irrigated 23

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

12. 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.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (☒)

14. Remarks:

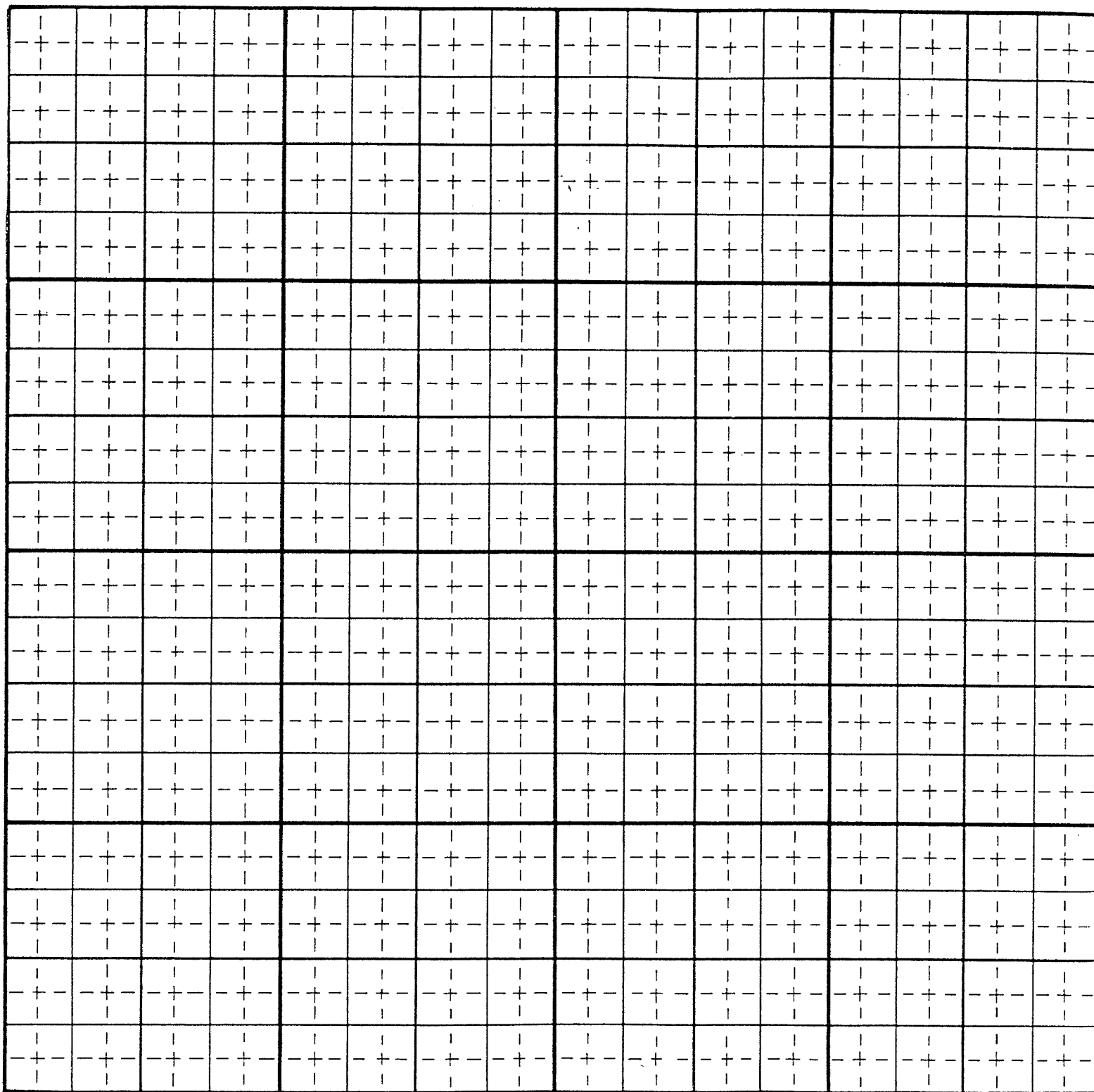
Last Name Adams Ident No. A34-03216B

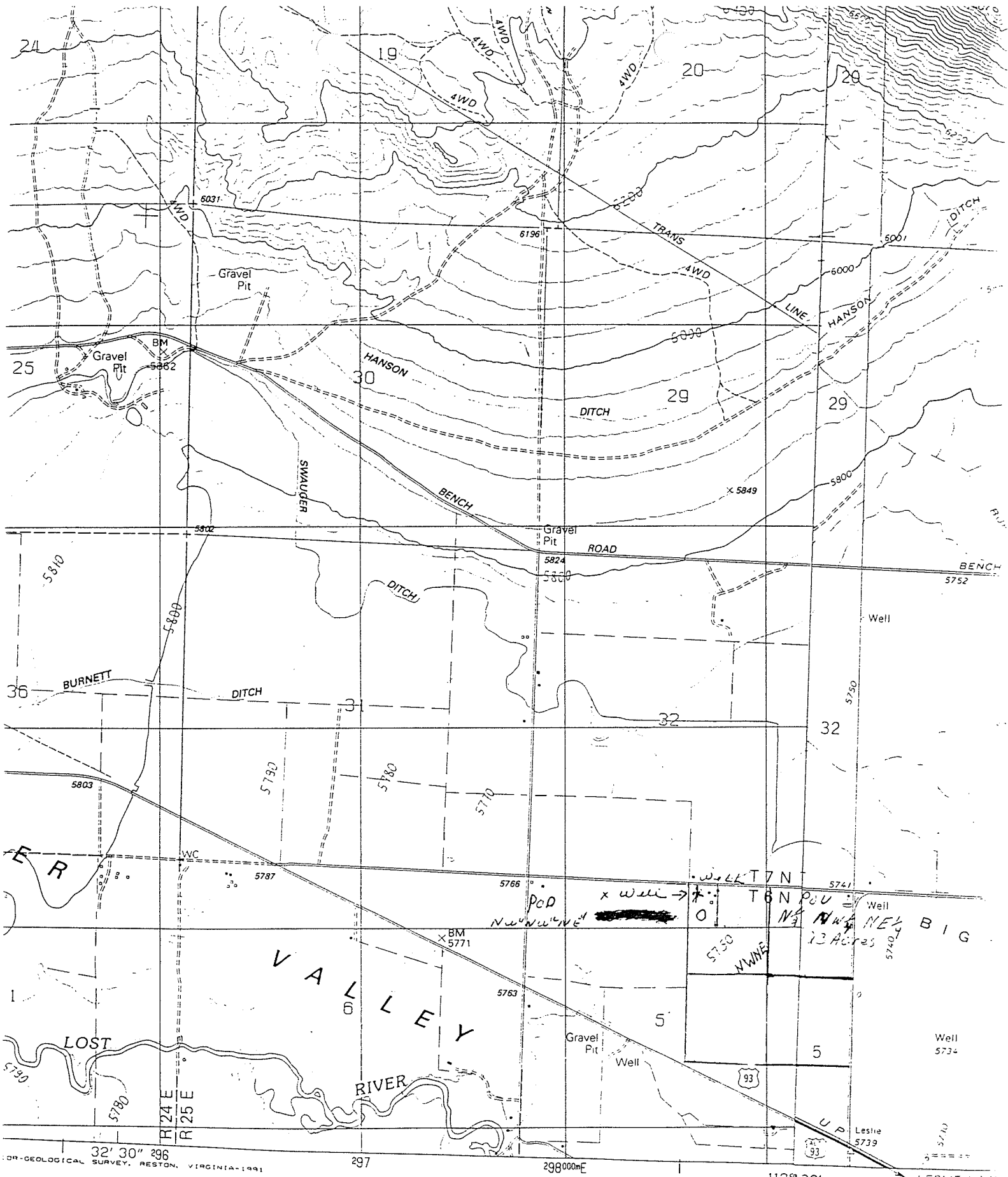
Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

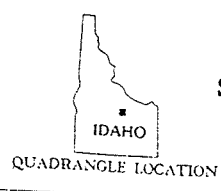
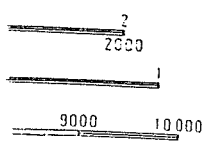
Scale: 2 inches equals 1 mile

See Attached Map





U.S. GEOLOGICAL SURVEY, RESTON, VIRGINIA-1991



SRBA Claim No. A34-02316B

- ROAD LEGEND
- Improved Road
 - Unimproved Road
 - Trail
- Mapped, edited, and published by USGS and USC&GS
 Topography by photogrammetric photographs taken 1967; Field photographs taken 1967
 Polyconic projection, 1927 North American datum
 10,000-foot and based on 1911

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number G-25356
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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1 attached map and 1 Letter Testamentary

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

Signature of Claimant (s)

Eva Lambert

Date January 31, 1994

Eva Lambert, Personal Representative

Estate of Orvil S. Adams

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

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 _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Custer)

SS.

Subscribed and sworn (or affirmed) before me this

31st

day of

January

19 94

SEAL

Notary Public

Lita M. Lundy

Residing at

Mackay, Idaho

My Commission Expires

3/19/97

Please Print Name

17. 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

Address

P.O. Box 2527, Boise, ID 83701

Date

3/6/94

Last Name

Adams

Ident. Number

A34-2316B

Copies White-State, Yellow-Claimant