

RECEIVED

MAR 21 1996

Department of Water Resources
Adjudication Bureau

3-19

36-2395

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

STANDARD FORM 4

MOTION TO FILE A LATE
NOTICE OF CLAIM

96-03-0057

INSTRUCTIONS FOR USE

This form is to be used to file a late notice of claim in a reporting area where the director's report has been filed and is made a part of *SRBA Administrative Order 1*, Section 4A (amended June 21, 1993), which may be consulted for further information.

A motion for premission to file a late notice of claim requires you to certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

You may copy or reproduce this form. If you do, the text must be on the front and back of each page exactly as it appears here. Fill out the form completely and attach all fees or the court will not accept the motion for filing. The Verification and Certificate of Mailing must be completed. Check each box to verify you have followed the instructions.

☒ I have read the *SRBA Administrative Order 1, Rules of Procedure* (amended June 21, 1993).

☐ I have read *SRBA Administrative Order 10 Order Governing Procedures in the SRBA for Domestic and Stock Water Uses* (dated March 22, 1995).

My name is Bruce J Thacker

My address is 364 S 2400 E

My phone number is: Work _____ Home 829 5615

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

The water right number I want to file a late notice of claim for is A36-02395

☒ I did not file a notice of claim to the use of water in the SRBA because:

I had an agreement with Larry Bodily that he had taken care of the water rights. Now I found out it hadn't been done. I should have found out for sure & I would have done it sooner if I had known

☐ I filed a notice of claim and elected to defer judicial proceedings on my domestic or stock water use. I desire to reinstate my notice of claim for domestic or stock water use.

I am providing legal and factual documentation for my claimed use of water. The documents I am providing are: (You must describe the documents and attach a readable copy.)

You do not have to fill this out if you are reinstating a notice of claim for domestic or stock water use but you must attach a copy of your notice of claim.

IDAHO Water Right Listing

I have attached:

- ☒ A fully completed notice of claim (available from the Idaho Department of Water Resources (IDWR)).
- ☐ A claim filing fee for a domestic and stock water use. IDWR may charge this fee pursuant to I.C. §42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: *State of Idaho Department of Water Resources* in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock water use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: *State of Idaho Department of Water Resources* in the amount of \$ 310.
- ☒ For those claimants who did not previously file a notice of claim, a court appearance fee in the amount of \$65.00 in the form of a check made payable to: *SRBA*. Persons filing a motion for late notice of claim do not become a party or claimant in the SRBA simply by filing this motion.

Follow these instructions regarding the hearing on this motion.

1. Contact the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on June 18 at 1:30
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION
(Must be completed)

State of Idaho

County of Twin Falls

Bruce Thacker, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the person or entity filing this motion and I have read the motion, know its contents and that the statements are true to the best of my knowledge and belief.

Bruce Thacker
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 3/8/96
(Insert Date)

Douglas J. [Signature]
Notary Public for State of Idaho
Residing at: Buhl
My Commission expires: 8/8/2001

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on March 18, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to:

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

3. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Monica Hacker

Signature of person or attorney mailing the form

WR5807NP
(00-117)

IDAHO DEPARTMENT OF WATER RESOURCES
LISTING OF WATER RIGHTS

DATE: 03/08/96
PAGE: 1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
36-02395	BERTHA ZETELL COULSON ID	06/12/1959	IRRIGATION	00-00 00-00	3.42 CFS	LICENSE

ROY F. COULSON
HAZELTON ID

LARRY BOOILY
RT 2 BOX 70
WENDELL ID 83355

SOURCE: GROUNDWATER

POINT OF DIVERSION:
T09S R21E S06 SWSW

PLACE OF USE: IRRIGATION
T09S R20E S01
S06
210.0 ACRES TOTAL

NESE 40.0 NWSE 27.0
NESW 28.0 NWSW 35.0

SWSW 40.0 SESW 40.0

CONDITIONS OF APPROVAL:

OTHER RIGHTS:

3.42 CFS TOTAL
0.00 AFA TOTAL

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: A36-02395

Date Received: / /

\$310 Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE J THACKER 208-829-5615
Address: 364 S 2400 E
HAZELTON ID 83335

AND/OR

Name: MONICA THACKER 208-829-5615
Address: 364 S 2400 E
HAZELTON ID 83335

2. Date of Priority: JUN 12, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	21E	6	NE	SW	SW		JEROME

5. Description of diverting works:
10" X 400' WELL, 300 HP PUMP, 125 HP BOOSTER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.420		840.00

7. Total Quantity Appropriated is:
3.420 C.F.S. (and/or) 840.00 A.F.A.

8. Total consumptive use is 630.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	20E	1	NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	20E	1	NW	SE		IRR	27.0
			SW	SE		IRR	39.0
			SE	SE		IRR	40.0
						Section Acres	146.0
	21E	6	NE	SW		IRR	28.0
			NW	SW		IRR	35.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	223.0
						Total Acres	369.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-02580

14. Remarks:

THIS CLAIM IS COMBINED WITH CLAIM A36-02580 TO MAKE CLAIM
#A36-14032.

3/8/96, DJ: A36-14032 WAS NOT CLAIMED AND WAS RECOMMENDED AS "/N"
IN THE DIR. RPT. SUCCESSOR IN INTEREST IS PURSUING FILING LATE
CLAIM UNDER THE ORIGINAL LICENSE. PLACE OF USE DESCRIBED AS A
PERMISSIBLE PLACE OF USE FOR A MAXIMUM OF 210 AC WITHIN THE 369
ACRES CLAIMED WITHIN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: LICENSE

Water Right Number: 27994

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: _____

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): Bruce J. Shuman Date: 3-8-96
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

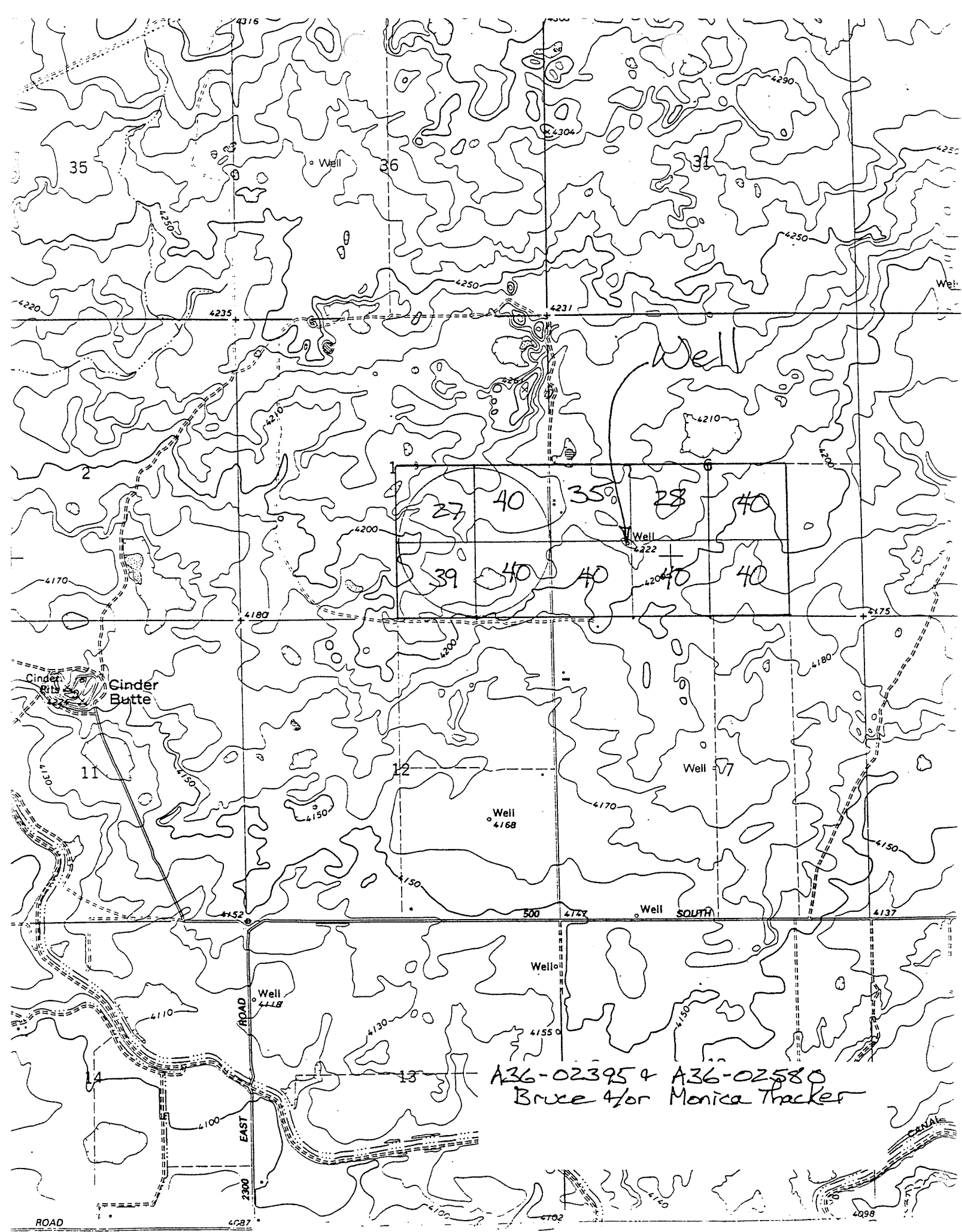
Subscribed and sworn (or affirmed) before me this 8 day
of March 19 96

Douglas Jones
Notary Public

Seal

Residing at Buhl

My Commission Expires 8/8/2001



A36-02395 & A36-02580
Bruce 4/0r Monica Tracker