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MAY 29 1996

Department of Water Resources
Adjudication Bureau

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OFFICE OF THE
ATTORNEY GENERAL

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

)

STANDARD FORM 4

)

Case No. 39576

)

MOTION TO FILE A LATE
NOTICE OF CLAIM

)

)

96-05-0038

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 Diana Speed

My address is Rt 1 Box 24
Moore, Idaho 83255

My phone number is: Work _____ Home (208) 554-4900

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 A 34-00029

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

I was not notified that I had to file on
my water right. I did not find out about this
until 3 months ago when the district told me I
could still file a late filing.

☐ 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.)

notice of claim to a water Right,
ACQuired under State Law

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.

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 \$ 110.00.
- ☒ 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 August 20, 1996 at 1:30pm.
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

VERIFICATION

(Must be completed)

State of Idaho

County of Butte

DIANA L. Sneed, 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.

Diana L. Sneed
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on May 23, 1996
(Insert Date)

Alan T. Thordberg
Notary Public for Butte County
Residing at: Butte, Ida 83213
My Commission expires: June 1/1998

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 11 May 20, 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:

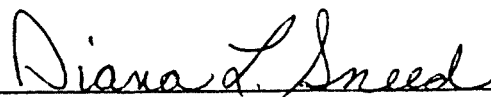
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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



Signature of person or attorney mailing the form

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 434-00029
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

- Please type or print clearly Eric L. Sneed
1. Name of Claimant (s) Diana L. Sneed Phone (208) 554-4900
Mailing Address Rt 1 Box 24 3044 N 3350 W Moore, Ida Zip 83255
2. Date of Priority (Only one (1) per claim) 5/31/1894
3. Source of water supply (a) BTH LOST RIVER
which is tributary to (b) ~~BTH LOST RIVER~~ SINKS
4. a. Location of existing point of diversion is: Township 5N Range 26E Section ~~20~~ 04
NW 1/4 of ~~SE~~ 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of BUTTE
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. DITCHES AND LATERALS
FROM WESTSIDE CANAL

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 5/1 to 10/15 amount 0.2 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 25 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	
5N	26E	33														10			10

Total number of acres irrigated 10

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

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

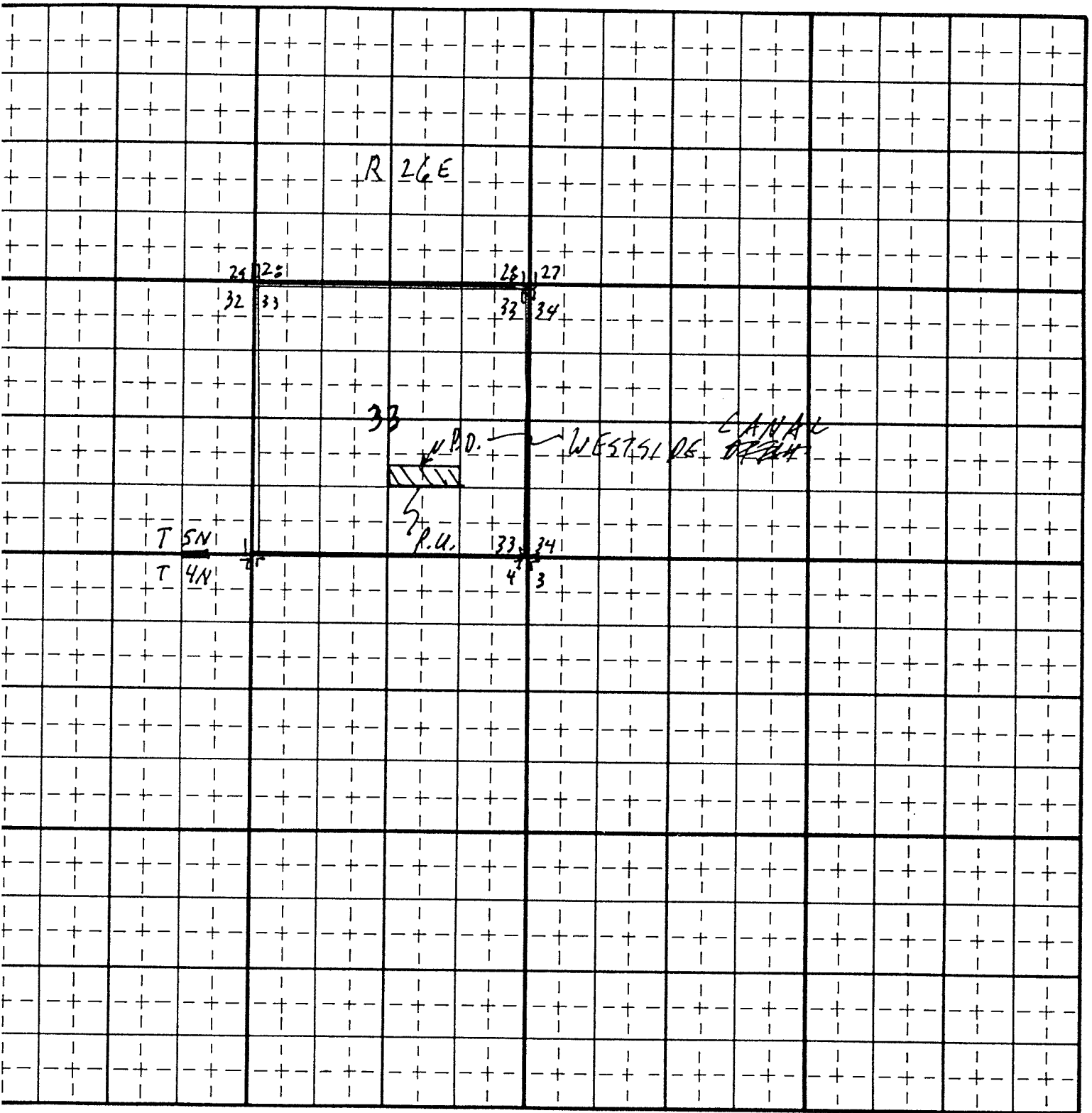
14. Remarks:

Last Name SNEED Ident No. 434-00029

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



Last Name SNEED

Ident No. A34-00629

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒
If applicable provide IDWR Water Right Number 34-00029
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant UTAH CONSTRUCTION U. ABBOTT

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 _____

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

Signature of Claimant (s) Diana L. Sneed X Date 2/28/96
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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day of February 19 96

SEAL

Notary Public Ernest Carlson

Residing at Albion Falls, ID.

My Commission Expires 6-14-2000

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 SNEED Ident. Number A34-00029

Copies White-State, Yellow-Claimant

371 IV SW
JARLINGTON)

310000m.E.

. 311

312 : 20'

: 3

4846000m.N.

4845

4844

4843

T S N

T 4 N

42'30"

4841

