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JUN 21 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

36-7265

In Re SRBA

Case No. 39576

STANDARD FORM 4

MOTION TO FILE A LATE
NOTICE OF CLAIM

96-06-0020

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.

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 \$ ~~115~~.
- ☒ 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 \$ 115.
- ☒ 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 X 9 - 14 - 130 (Insert Date and Time) (FROM COURT)

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

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: **A36-07265**
Date Received: 6/ 7/1996
Receipt No: _____
Received By: _____

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

1. Name: JOHN TEIXEIRA 208-536-5039
Address: 2164 BOB BARTON HWY
WEMDELL ID 83355

2. Date of Priority: SEP 25, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	15E	26	SW	SE			GOODING

5. Description of diverting works:
IRRIGATION WELL TO TWO THREE-TOWER PIVOTS & A DAIRY WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		60.00
STOCKWATER	01/01	12/31	0.230		
COMMERCIAL	01/01	12/31	0.230		

7. Total Quantity Appropriated is:
0.760 C.F.S. (and/or) 60.00 A.F.A.

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER: 600 MILKING, 200 DRY REPLACEMENT: COMMERCIAL: DAIRY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	15E	26	SW	SE		IRR	15.0
			SW	SE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	15E	26	SW	SE		COMMER	

Section Acres 15.0

Total Acres 15.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

DAIRY DEVELOPED SOMETIME BETWEEN 1976 AND 1987.

15. Basis of Claim: LICENSE

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): John Fuxina Date: 6-7-96

Date: _____

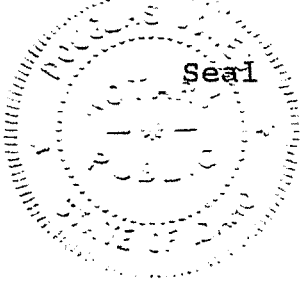
State of Idaho

County of Twin Falls)
) SS.

Subscribed and sworn (or affirmed) before me this 7 day

of June 19 96

Douglas Jones
Notary Public



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 X, 199 , 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.

X John Ferrelis
Signature of person or attorney mailing the form

- ☐ 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 * Loba Ferreira

My address is * 2164 Bob Barton Rd Mendell ID 83355

x My phone number is: Work 208-536-5039 Home same

I am an attorney representing N/A

My name is N/A

My address is N/A

My phone number is _____

The water right number I want to file a late notice of claim for is : A36-07265

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

Property owner at time notices were filed
did not do it. I bought land in 1992.

- ☐ 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.)

VERIFICATION

(Must be completed)

State of Idaho

County of Twin Falls

John Teixeira, 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.

John Teixeira
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 6/7/1996.
(Insert Date)

Douglas Jones
Notary Public for State of Idaho
Residing at: Buhl, Id
My Commission expires: 8/8/2001