

In Re SRBA
Case No. 39576

**MOTION FOR DETERMINATION OF
DEFERRED *DE MINIMIS* DOMESTIC OR
STOCK WATER USE**

NAMES AND ADDRESSES OF WATER RIGHT CLAIMANTS:

Name & Address of Attorney, if any:

☒ A fully completed Notice of Claim (available from IDWR).

☒ A claim filing fee for a domestic and stock water use pursuant to I.C. § 42-1414. I have enclosed a check payable to State of Idaho Department of Water Resources in the amount of \$25.00.

I HAVE READ AND REVIEWED THE FOLLOWING:

- ☒ The procedures governing the filing and prosecution of this Motion as set forth in the Court's *Order Governing Procedures in the SRBA for the Adjudication of Deferred De Minimis Domestic and Stock Water Claims* entered in the SRBA Case No. 39576 on June 28, 2012.
- ☒ The *Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on December 18, 2013.

INSTRUCTIONS REGARDING THE HEARING ON THIS MOTION: A hearing on your Motion will be scheduled by the Court after you file an *Affidavit of Publication* in the above-captioned matter evidencing that you have caused to be published a notice of the pendency and purpose of your Motion once a week for not less than three (3) weeks in a newspaper of general circulation in the county in which the point of diversion is located or as otherwise required by this Court in accordance with paragraph B.1. of the *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*.

Signed: _____

Kent Rod
Clarice Rod 46A

Dated: _____

10-30-2016
10-30-16

CERTIFICATE OF MAILING

I certify that on _____, _____, 20_____, I mailed original and copies of this form, including all attachments, via certified mail and addressed as follows to the following persons:

1. Original to:

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

2. Copies to:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

U.S. Attorney's Office
800 Park Blvd., Ste 600
Boise, ID 83712

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

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: 85-15676B
Date Received:
Receipt No: C000829
Amount Paid: \$25.00
Received By: _____

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

1. Name of Claimant(s)

KENT RAD
413 MONSTERY RD
COTTONWOOD ID 83522

Phone: (208) 983-7269

OR

RAD FAMILY PASTURE LAND LLC
569 N COVE COLONY WAY
EAGLE ID 83616

Phone:

2. Date of Priority: 1/1/1947

3. Source:

Trib. to:

SPRINGS SHEBANG CREEK
SPRINGS SHEBANG CREEK
SPRINGS SHEBANG CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
31N	01W	11	NE SE		IDAHO	
31N	01W	11	NW SE		IDAHO	
31N	01W	11	SE SE		IDAHO	

5. Description of diverting works:

springs with pipelines to troughs
springs with pipelines to troughs
springs with pipelines to troughs

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
STOCKWATER	01/01	12/31	0.02		

7. Total Quantity Appropriated is:

0.02 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

9. Place of use:

STOCKWATER within IDAHO County

Township	Range	Section	¼	of	¼	Lot	Acres
31N	01W	11	NE		SE		
31N	01W	11	NW		SE		
31N	01W	11	SE		SE		

10. Do you own the property listed above as place of use? Yes

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

11. Other Water Rights Used:

12. Remarks:

Right Nos. 79-14180, 85-15676A and 85-15676B are limited to a total combined diversion rate of 0.05 cfs.

13. Basis of Claim: Beneficial Use

14. 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/We do solemnly swear or affirm under penalty of perjury 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 under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____