

09/25/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 1-132B

NAME AND ADDRESS: RAELYNN LAMBERT
23 W 450 N
BLACKFOOT ID 83221

RICHARD TODD LAMBERT
23 W 450 N
BLACKFOOT ID 83221

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.630 CFS

PRIORITY DATE: 03/01/1889

POINT OF
DIVERSION:

T02S R36E S6 SWSE Lot 8 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.630 CFS
PLACE OF USE:	<u>IRRIGATION in BINGHAM County</u>		
	T02S R35E S12 Lot 3 NESW	14.00	T02S R35E S12 Lot 11 NESW 1.50
	T02S R35E S12 SWSW	6.70	T02S R35E S12 Lot 4 SESW 16.00
	T02S R35E S12 Lot 11 SESW	15.00	T02S R35E S12 Lot 8 NWSE 0.80
	T02S R35E S12 Lot 8 SWSE	1.00	

55 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 55 acres in a single irrigation season. Combined Right Nos.: 1-131B, 1-132B, and 1-133B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water is delivered through Riverside Canal.



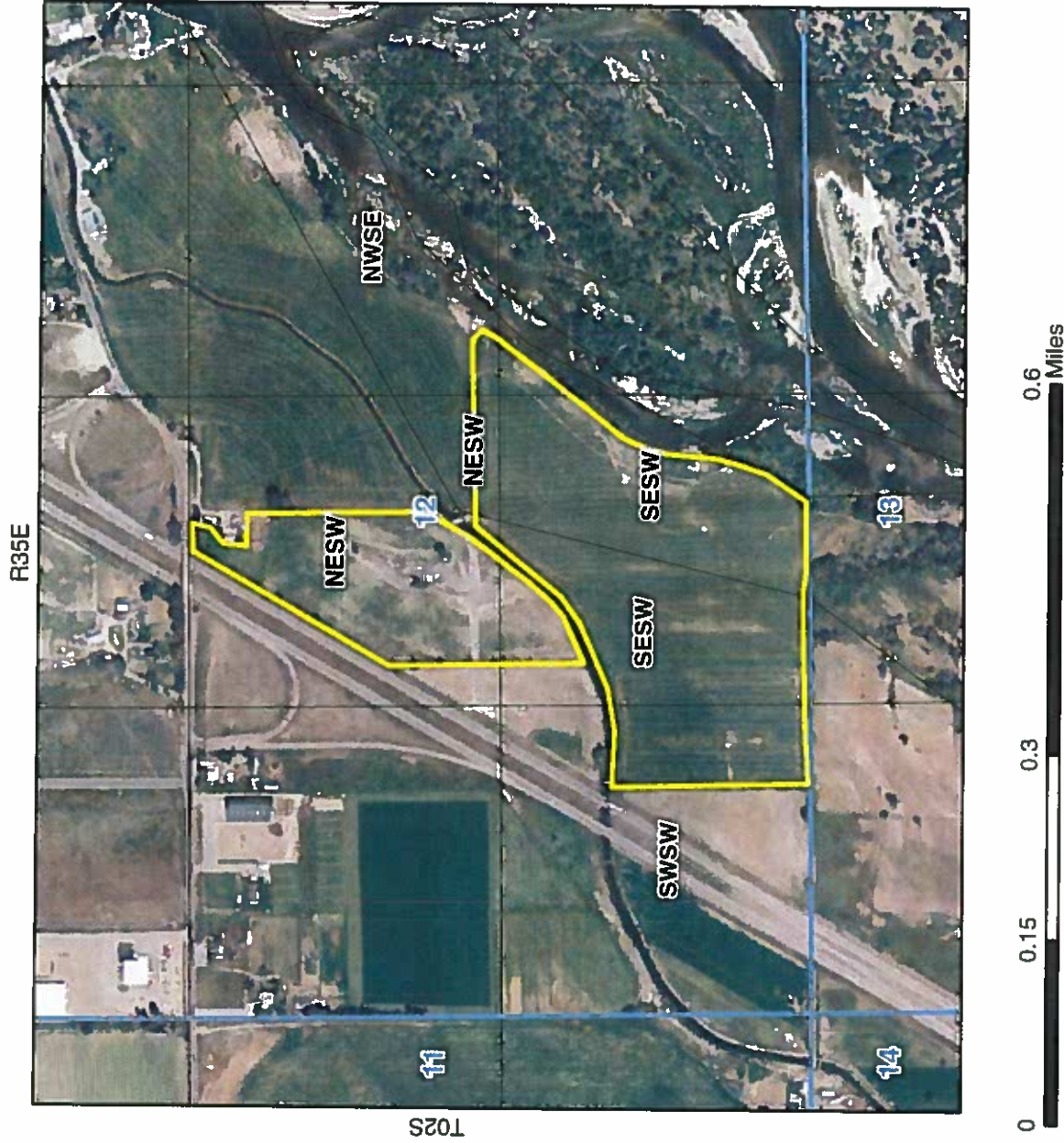
Idaho Department of Water Resources

SRBA Recommendation

1-131B
1-132B
1-133B

Legend

- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Bingham County
IDWR Basin 1

Prepared by Michael Holliday
On September 25, 2008
2004 Aerial Photography

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

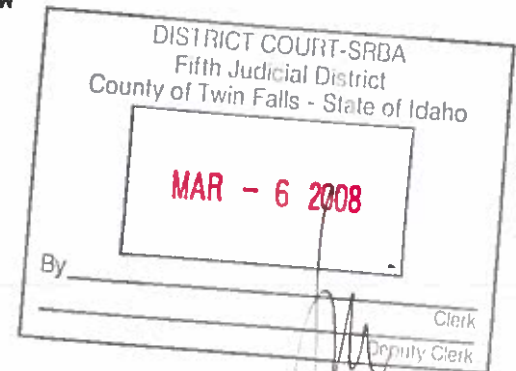
Ident. Number 1-132B
Date Received: 2/14/2008
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RAELYNN LAMBERT Phone: (208)785-2227
23 W 450 N
BLACKFOOT ID USA 83221

RICHARD TODD LAMBERT Phone: (208)785-2227
23 W 450 N
BLACKFOOT ID USA 83221



2. Date of Priority: 03/01/1889

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	36E	6	SW SE 8	BINGHAM	

5. Description of diverting works:

25 HP PUMP IN RIVERSIDE CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.63	

7. Total Quantity Appropriated is:
0.63 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
02S	35E	12	NE	SW	3	IRRIGATION	14
			NE	SW	11	IRRIGATION	1.5
			SW	SW		IRRIGATION	6.7
			SE	SW	4	IRRIGATION	16
			SE	SW	11	IRRIGATION	15
			NW	SE	8	IRRIGATION	0.8
			SW	SE	8	IRRIGATION	1
Section Acres						55	
Total Acres						55	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2113. P/D RIVERSIDE CANAL.

AWAITING ACCEPTANCE OF CLAIM BY SRBA COURT.

15. Basis of Claim: Decreed

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): [Signature] Date: 03-04-08

3-4-08 Date: _____

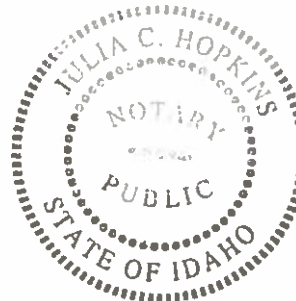
State of Idaho)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this
of March 2008

4th day
Julia C Hopkins
Notary Public

Residing at Blackfoot, ID

My commission Expires 11-29-12



RECEIVED

JUL 17 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL 16 2008

By _____

Clerk
Deputy Clerk

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

) Subcases: 01-00131B, 01-00132B
) and 01-00133B
)
)
)

ORDER GRANTING MOTIONS TO FILE
LATE NOTICES OF CLAIM

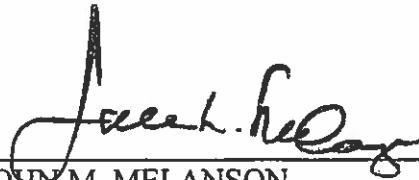
On March 6, 2008, Richard Todd and Raelynn Lambert filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on July 15, 2008. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated July 16, 2008.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on July 16,
2008, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RAELYNN LAMBERT
RICHARD TODD LAMBERT
23 W 450 N
BLACKFOOT, ID 83221
Phone: 208-785-2227

RECEIVED

MAR 11 2008

Department of Water Resources
Adjudication Bureau

Hearing 7-15-08

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

See Attached

Subcase

1-132B

(Insert water right number)

Case 39576

E-mail Regarding

Fees

STANDARD FORM 4

C. Subba

3-18-08

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you 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.

SCANNED

MAR 12 2008

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Raelynn Lambert

My address is 23W 450 N.
Blackfoot, Id. 83221

My phone number is: Work _____ Home 785-2227

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

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

Not aware that It had n't
been filed,

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering 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 watering 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 \$ 710.00.

* Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of 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 7-15-08 1:30 p.m.
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Bingham

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

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

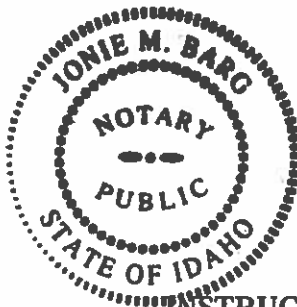
[Signature]
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on

March 3, 2008

(Insert Date)



Jonie M. Bargo
Notary Public for State of Idaho

Residing at: Idaho Falls

My Commission expires: July 24, 2012

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 3-5-08 ^{AL}
3-4-08, 1998, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

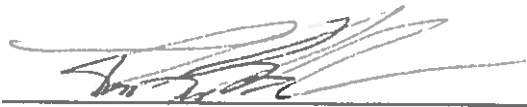
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

RECEIVED

MAR 11 2008

DEPARTMENT OF
WATER RESOURCES

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 1-132B
Date Received: 2/14/2008
Receipt No:
Received By: MWH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RAELYNN LAMBERT Phone: (208)785-2227
23 W 450 N
BLACKFOOT ID USA 83221

RICHARD TODD LAMBERT Phone: (208)785-2227
23 W 450 N
BLACKFOOT ID USA 83221

2. Date of Priority: 03/01/1889

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	36E	6	SW SE 8	BINGHAM	

5. Description of diverting works:

25 HP PUMP IN RIVERSIDE CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.63	

7. Total Quantity Appropriated is:
0.63 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
02S	35E	12	NE	SW	3	IRRIGATION	14
			NE	SW	11	IRRIGATION	1.5
			SW	SW		IRRIGATION	6.7
			SE	SW	4	IRRIGATION	16
			SE	SW	11	IRRIGATION	15
			NW	SE	8	IRRIGATION	0.8
			SW	SE	8	IRRIGATION	1
Section Acres						55	
Total Acres						55	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 2113. P/D RIVERSIDE CANAL.

AWAITING ACCEPTANCE OF CLAIM BY SRBA COURT.

15. Basis of Claim: Decreed

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____

Date: 03-04-08

3-4-08

Date:

State of Idaho)

County of

Bingham

) SS.

Subscribed and sworn (or affirmed) before me this

4th day

of

March 20 08

Julia C Hopkins

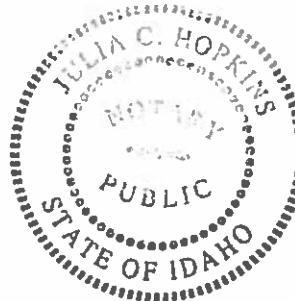
Notary Public

Residing at

Blackfoot, ID

My commission Expires

11-29-12



STAFF TIME LOG

LATE CLAIMS

Claim No(s). 1-132B

[illegible]

~~01-051-21-0080~~
Nelson, William W. 160 inches. June 1, 1899. Willow Creek.

Nelson, Chris.

The Sunny Dell Irriga-
tion Canal Company.

~~1-113-22-0121~~ T. 2002

Nelson, David

434 inches. Apr. 1, 1898.

Teton River, through
Nelson-Jacobs ditch.

~~1-113-22-0125~~ T. 2002

Nelson, David

216 inches. May 1, 1885.

Teton River, through
Nelson-Jacobs ditch.

~~1-113-22-0604~~

Nelson, Fritz E.

120 inches. Apr 15, 1898.

Spring Creek.

Nelson, James D.

The Sunny Dell Irriga-
tion Canal Company.

~~1-055-1-129~~

Nelson, James D.

300 inches. June 1, 1887.

Bennock Jim Slough.

Nelson, J. O.

The Farmers' Friend
Canal Company.

~~35-0008~~

~~1-151-25-0229~~

Nelson, John

160 inches. June 20, 1891. Hull's Slough--
Boone Creek.
(Johnson dam.)

Nelson, Joseph

The Farmers' Friend
Canal Company.

~~1-151-35-0021~~

Nelson, H. F.

120 inches. May 1, 1903. McTucker Springs.

Nelson, Peter J.

The Farmers' Friend
Canal Company.

~~1-151-1-130~~

Nelson, Foren,
and Stephen J.
and William
Summers

640 inches. June 10, 1885. Dry Bed channel of
South Fork of the
Snake River.

~~1-151-1-131~~ Trans #2113

New Lavaside
Ditch Company

1,000 inches, June 1, 1884. Snake River.

~~1-151-1-132~~ #2113

New Lavaside
Ditch Company

3,000 inches. Moh. 1, 1889. Snake River.

~~1-151-1-133~~ #2113

New Lavaside
Ditch Company.

3,600 inches. Nov. 24, 1890. Snake River.

Newman A. E.

The Farmers' Friend
Canal Company.

Newman, John H.

The Farmers' Friend
Canal Company.

Newman, Mrs. John

The Farmers' Friend
Canal Company.

~~1-151-1-134~~

New Sweden
Irrigation
District

6,000 inches. Jan. 7, 1886. Snake River. T 1714

~~1-151-1-135~~

New Sweden
Irrigation
District

20,000 inches. Jan. 24, 1891. Snake River. T 1714

RECEIVED

RECEIVED

FEB 27 1911

OFFICE OF STATE ENGINEER

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT

OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT.

Herburt Irrigation Company, et al.,

PLAINTIFFS,

DECREE.

-VS-

Paton Irrigation Canal Company, et al.,

DEFENDANTS.

This cause coming on to be heard this 10th day of

Feb 10, upon the report of F. J. Cowen, Referee heretofore appointed

for the purpose of taking the testimony and making recommendations

as to Findings of Fact, Conclusions of Law and Decree, to be entered

herein and the said F. J. Cowen, having filed his report of the

testimony taken, and his recommendations as to Findings of Fact

and Conclusions of Law, which have heretofore been adopted, and the

respective plaintiffs and defendants and cross-complainants appearing

herein by their respective counsel, and the Court being full informed

and advised in the premises, and having ordered that judgment be

entered in accordance with the report and recommendations of the said

Referee, on the basis of the reason of the law and the Report and Findings

and Conclusions of Law aforesaid,

It is ordered, Adjudged and Decreed, that the several parties

plaintiffs and defendants herein named, do have judgment respectively

the right to use, for irrigation and other purposes, the following

number of inches of water, each fifty inches thereof to be equivalent

to a flow of one cubic foot per second, as prescribed by the law

May 18, 1977

New Lavaside Ditch Company
BLACKFOOT, IDAHO 83221

Idaho Water Resources Board
Idaho Falls, Idaho

Dear Sirs:

Untill further notice you are hereby
Authorized to transfer 77 shares of
New Lavaside Ditch Co. Water belonging
to P.L. Stringham to the Riverside
Ditch Co.

This water will be used to water
part of SW 1/4 and of W 1/2 of the S.W. 1/4
of section 12 Township 2 S
Range 35 E B.M.

Thank you -
Allen Tarnay
President: New Lavaside
Canal Co.

RECEIVED
MAY 18 1977

To Whom It May Concern:

The Riverside Ditch Company will accept water from the New Lavaside Canal Company of Ray L. Stringham's. The purpose is for more efficient use of water on part of the SW $\frac{1}{4}$ and W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 12, Township 2 South and Range 35 EBM. This is valid as long as the operation and maintenance cost are paid as agreed.

Riverside Ditch Company

Ned Gneiting, President.

Ned Gneiting

MICROFILMED

Claim	1 10472	RIVERSIDE CANAL (SNAI 02S35E12		11					14	
Claim	1 157A	RIVERSIDE CANAL (SNAI 02S35E12		11					14	
Rec	1 157A	RIVERSIDE CANAL (SNAI 02S35E12 X	X	X	X	X	X	0	0	irrigation obj.
Rec	1 10057	RIVERSIDE CANAL (SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Rec	1 10471	RIVERSIDE CANAL (SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Rec	1 10472	RIVERSIDE CANAL (SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Rec	1 324	RIVERSIDE CANAL (SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Rec	1 131A	NEW LAVASIDE DIT SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Rec	1 132A	NEW LAVASIDE DIT SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Rec	1 133A	NEW LAVASIDE DIT SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Rec	1 263	NEW LAVASIDE DIT SNAI 02S35E12 X	X	X	X	X	X	0	0	" "
Claim	1 131B	RAELYNN LAMBERT SNAI 02S35E12	1.5	6.7	15	0.8	1	25		
Claim	1 132B	RAELYNN LAMBERT SNAI 02S35E12	1.5	6.7	15	0.8	1	25		
Claim	1 133B	RAELYNN LAMBERT SNAI 02S35E12	1.5	6.7	15	0.8	1	25		

Overlaps — objections filed on these

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

NO. 01-0131/0132/0133

Notice is hereby given that Ray L. Stringham, Blackfoot, Idaho, has applied to the Department of Water Resources for a change in the point of diversion of the waters of the Snake River. The rights sought to be changed are evidenced by decree to L. J. Porter within New Lavaside Canal Co. in case of Rexburg Irrigation Co. et al -vs- Teton Irrigation Canal Co. et al dated 12-16-1910 in 6th Judicial Dist., County of Fremont and is recorded as follows:

No. 01-0131	AMOUNT: 0.59 cfs	PRIORITY: 6-01-1884
No. 01-0132	AMOUNT: 1.78 cfs	PRIORITY: 3-01-1889
No. 01-0133	AMOUNT: 2.13 cfs	PRIORITY: 11-24-1890

POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 1S, R. 36E, B.M., Bingham County.

The water is used to irrigate 155 acres within the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 2S, R. 35E, B.M.

TO BE CHANGED AS FOLLOWS

Only 1.60 c.f.s. of water will be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 2S, R. 36E, B.M., Bingham County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before July 5, 1977.

C. STEPHEN ALLRED

Director

Published in the Blackfoot News, Blackfoot, Idaho, on June 16 and June 23, 1977.

REPRODUCTION
PROHIBITED

Me. J.
Me. H.
Me. C.

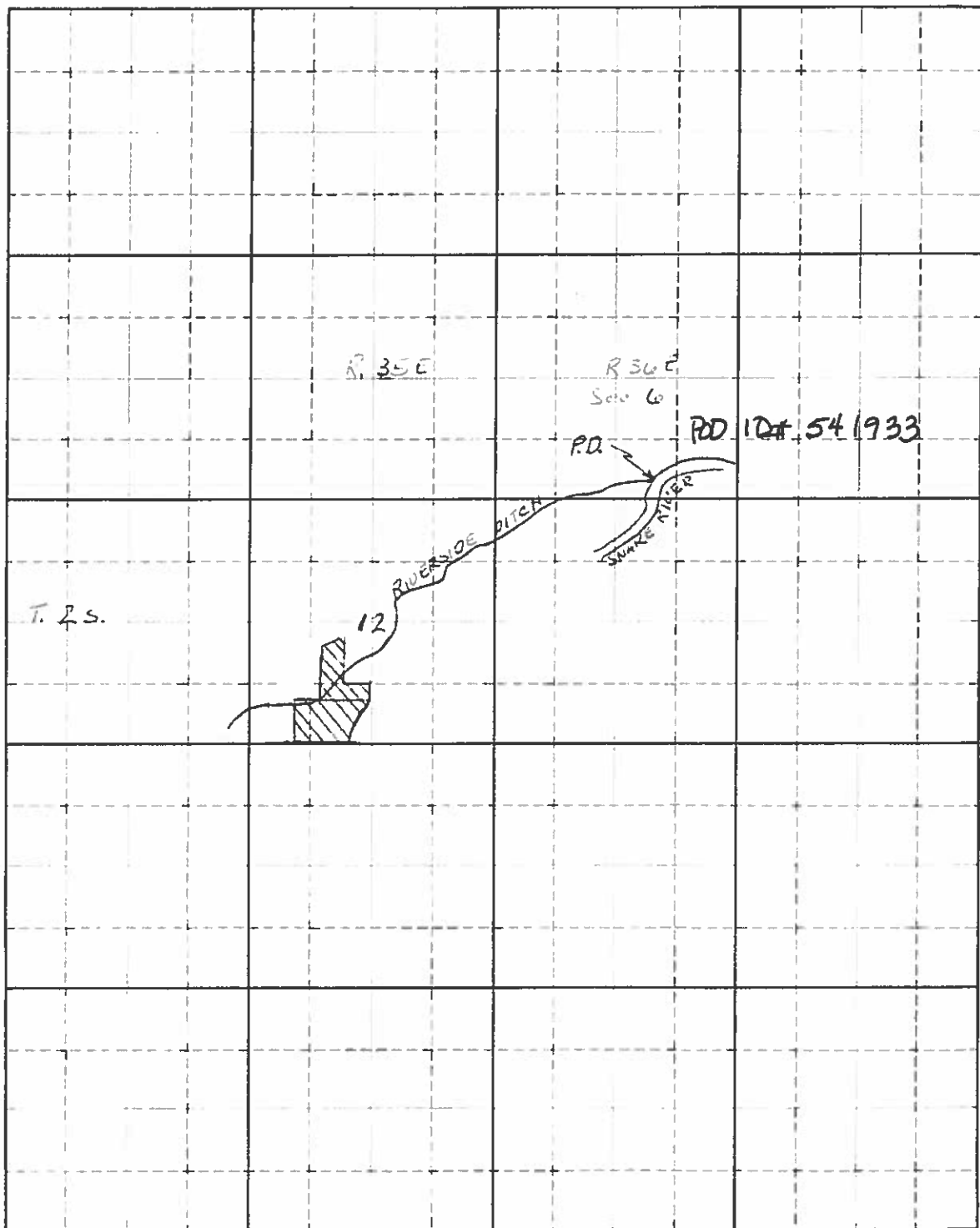
TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
--------------	------	------------------	-------------------	--------------

	~~New Lavaside Canal Co.~~	~~60.0~~		~~01-0032~~
2113	Stringham, Ray L.	0.63		01-0032 A
	~~New Lavaside Canal Co.~~	~~59.37~~		~~01-0032 B~~
2342	~~New Lavaside Canal Co.~~	~~59.37~~		~~01-0032 B~~
2561	"	"	"	01-0132 B

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RECEIVED

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Shared POD w/ 1-264,
 1-131A, 1-132A, 1-1-133A
 1-263, 1-157A, 1-10057,
 1-10471, 1-10472, 1-324
 1-131B, 1-132B, 1-133B

Transfer No. 2113Application No. 01-0131/0132/013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Ray L. Stringham Phone 785-5569
Post office address Rt. #1, Box 88, Blackfoot, Idaho 83221

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

a. Decree to L. J. Porter within New Lavaside Canal Co.
(Name)
in case of Rexburg Irrigation Co. et al vs Teton Irrigation Canal Co. et al
dated 12-16-1910 in 6th Judicial Dist. county of Fremont
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Snake River tributary to _____

4. Date of priority 01-0131 June 1, 1884; 01-0132 March 1, 1889; 01-0133 Nov. 24, 1890

5. Water is used for the following purposes:

01-0131 amount 0.59 for Irrigation purposes from Apr. 1 to Nov. 1

01-0132 amount 1.78 for " purposes from " to "

01-0133 amount 2.13 for " purposes from " to "

(month/day - both dates inclusive)

6. Total amount of water under right: a. 4.50 cubic feet per second

b. _____ &/or
acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26
Township 1S Range 36E, B.M., in Bingham County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2S	35E	12.									L. 3 X	X	X	X	L. 4 X		L. 2 X		155

Total number of acres to be irrigated 155

MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. 1.60 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26 Township 1S
Range 36E, B.M., Bingham County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
25	35E	12									L. 3 X			X	L. 4 X				55

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 1.60 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6 Township 2S
Range 36E, B.M., Bingham County
Additional points _____

c. Description of diverting works Head works of Riverside Ditch Co.

d. Describe the reasons for applying for a change in the point(s) of diversion
Increase efficiency of irrigation

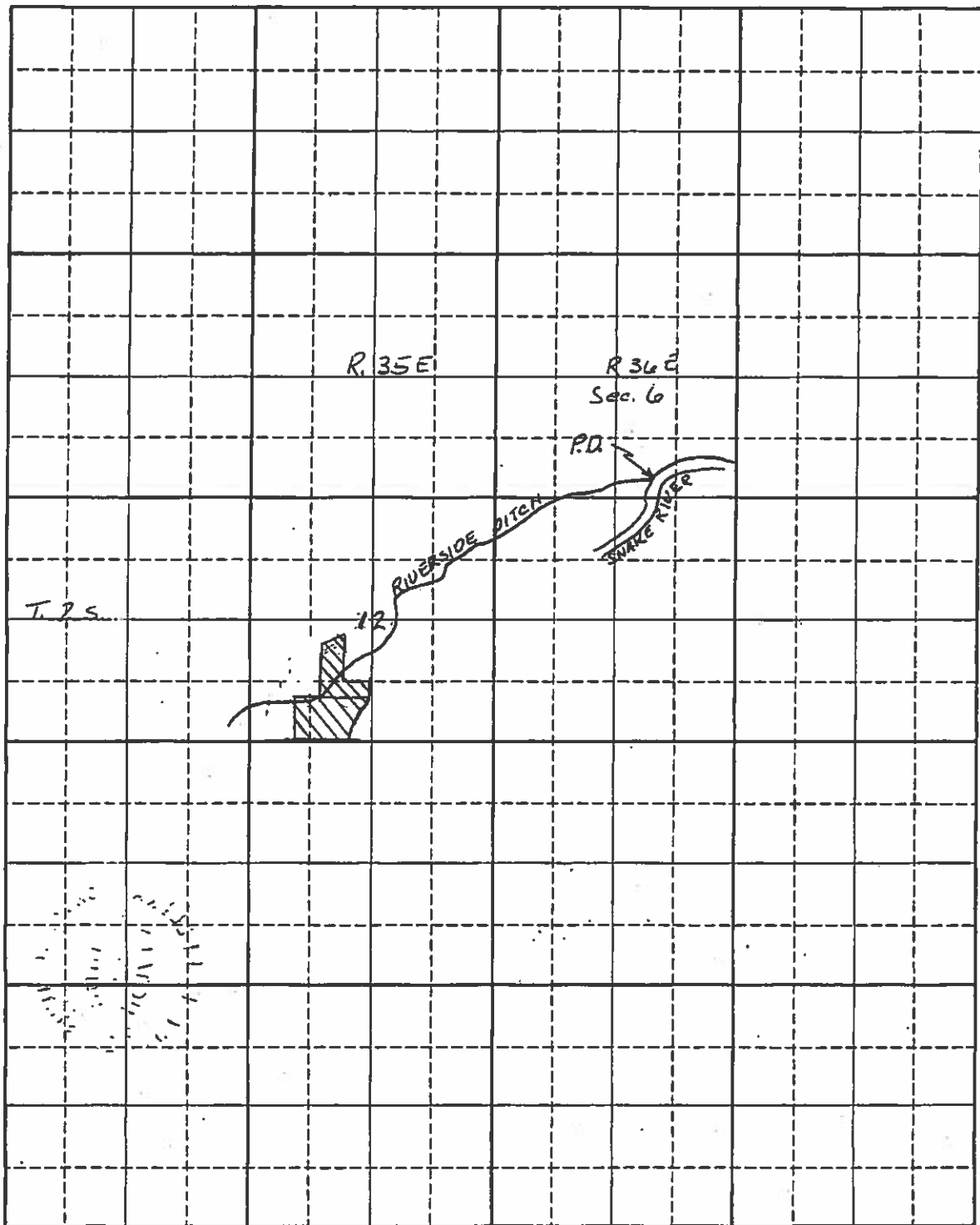
2. Change in place of use NO CHANGE

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks Original right was determined by dividing acreage owned by L. J. Porter by the total acreage in New Lavaside Canal Co. as described in decree and this figure was then used to calculate L. J. Porter's proportionate share of original rights decreed to New Lavaside Canal Co.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Ray L. Stingham
(Signature of applicant)

Subscribed and sworn to before me this 20th day of May, 1977

Thomas M. Bellini
(Notary public)

My commission expires January 25, 1979

Residing in Idaho Falls -
Bonanza County

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 01-0131, 01-0132, 01-0133 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of July, 19 77

St. Bernard

FOR DEPARTMENT USE ONLY

Received by (A) Date 5-20-77

Prelim. check by EMC Fee \$30.00

Received by (A) Date 5-20-77

Published in Blackfoot News # 7283

Pub. dates June 16 + 23 - 1977

Watermaster recommendation requested on 6-15-77

W.D. #21 rec'd. 6-21-77
Art Hanson

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by Jim Johnson



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

July 24, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

TWO RIVERS LLC
23 W 450 N
BLACKFOOT ID 83221

RE: Snake River Basin Adjudication (SRBA)
Late Notices of Claim #1-131B, 1-132B and 1-133B

Dear Claimant:

Your Notices of Claim to a Water Right were received from the SRBA Court recently. We have enclosed your receipt #C087310 for the filing fees you paid. Please retain this document for your records.

The filing fees for adjudication claims are set by Section 42-1414, Idaho Code. During the last legislative session, this statute was amended to lower the filing fees paid for adjudication claims, and the effective date of the change was July 1, 2008. Because your claim was received by IDWR after that date, you are due a refund of \$410.00.

The refund process has been initiated with the State Auditor's Office and you should receive a check in the near future.

Your Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4916 if you have any questions.

Sincerely,

Craig L. Saxton
Water Rights Supervisor
Adjudication Bureau

CLS:ss:region:ref

Enclosure:

Receipt Referenced Above

SCANNED

JUL 23 2008

SCANNED

JUL 23 2008

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: C. Fritschle/D. Allen
 FROM: S. Sherman Date: 7-23-08
 SUBJ: Receipt No. C087310 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Two Rivers LLC
 Address 23 W. 450 N.
Blackfoot ID 83221

Claimant(s) if NOT Payor _____
 Refund Amount \$410.- Claim Location (Region/Claimant) (state)
 Extension Filed? Y/N NA Copy Attached? Y/N NA
 Late Fees Paid? Y/N NA Late Fee Receipt # C087310
 S.O. Verified Ext. by _____ on _____ D.B. Query by _____
 Refund Generated By (☒) Agent () Claimant
 Refund Category:
 insufficient fees / claim incomplete / withdrawn / o-pmt

Date of Last Correspondence (copy attached) email

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>1-131 B</u>	<u>al</u>	<u>\$310.-</u>	<u>100.-</u>	<u>C087310</u>
<u>1-132 B</u>	<u>al</u>	<u>\$200.-</u>	<u>100.-</u>	<u>✓</u>
<u>1-133 B</u>	<u>al</u>	<u>\$200.-</u>	<u>100.-</u>	<u>✓</u>
		\$		
		\$		
Total		<u>\$710.-</u>	<u>\$300.-</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached (Y)/N

see Craig memo.

Region AJ Spvsr. Approval _____ S.O. AJ Spvsr. Approval CS
 C. Fritschle Approval C. Fritschle Hold _____ To Fiscal 7-23-08
 Data Base Modified? Y/N NA A &/or R Records By _____ on 7-23-08
 Logged 7-23-08

MEMORANDUM

Date: 7-23-08
To: File 1-131B, 1-132B, and 1-133B
From: Craig L. Saxton

Re: Partial refund of filing fees.

Motions to file late claims 1-131B, 1-132B, and 1-133B were received by IDWR on 3-11-08. On 3-18-08 I reviewed the filing fees and determined that the claimant had overpaid the filing fees and was entitled to a refund of \$110.00. I submitted an e-mail outlining my analysis to legal staff and put a copy in the file.

However, on 3-17-08, the governor signed a bill that reduced the filing fees for adjudication claims. I do not believe I was aware of this bill being passed at the time of that reviewed the filing fees for this claim. Thus, I did not take into account the lower fee schedule when determining the claimants refund.

The claimant paid \$710 for three claims. I believe the filing fee was calculated as follows:

1-131B: \$100 claim fee	\$100 Late fee	(55 ac @ \$2 per acre) = \$310
1-132B: \$100 claim fee	\$100 Late fee	55 ac claimed: overlap w/ 1-131B so no variable fee = \$200
1-133B: \$100 claim fee	\$100 Late fee	55 ac claimed: overlap w/ 1-131B so no variable fee = \$200

Totaling \$710.00

However, the 55 acres claimed has been claimed and recommended under New Lava Ditch Company (1-263, 1-131A, 1-132A, 1-133A) so there is no variable fee associated with these claims.

In addition, since the motions were granted after July 1, 2008 so the new (lower fee schedule) is applicable to these claims.

The filing fees should be:

1-131B: \$50 claim fee	\$50 Late fee	55 acres claimed: overlap with 1-131B so no additional variable fee = \$100
1-132B: \$50 claim fee	\$50 Late fee	55 acres claimed: overlap with 1-131B so no additional variable fee = \$100
1-133B: \$50 claim fee	\$50 Late fee	55 acres claimed: overlap with 1-131B so no additional variable fee = \$100

The total filing fee for 1-131B, 1-132B, 1-133B should be **\$300.00** which would result in refunding **\$410.00**

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, March 18, 2008 1:40 PM
To: Baxter, Garrick; Courtney, Andrea
Cc: Van Bussum, Monica; Sherman, Sally
Subject: Over payment of filing fees for 1-131B, 1-132B, and 1-133B

Hello,

Motions to file late claims 1-131B, 1-132B, and 1-133B were received by IDWR on 3-11-08. The filing fees on all three of the motions show payment of \$710.00. This total fee was calculated as follows:

1-131B: \$100 claim fee \$100 Late fee (55 acres @ \$2 per acre) = \$310
1-132B: \$100 claim fee \$100 Late fee 55 acres claimed: overlap with 1-131B so no additional variable fee = \$200
1-133B: \$100 claim fee \$100 Late fee 55 acres claimed: overlap with 1-131B so no additional variable fee = \$200

Totaling \$710.00

However, the 55 acres claimed has been claimed and recommended under New Lava Ditch Company (1-263, 1-131A, 1-132A, 1-133A)

The total filing fee for 1-131B, 1-132B, 1-133B should be **\$600.00** which would result in refunding **\$110.00**

I will put a copy of this e-mail with all three motions.

Thanks,

Craig

3/18/2008