

OCT 22 2019

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA

Subcase 95-17893
(Insert water right number)

STANDARD FORM 4

Case No. 49576

MOTION TO FILE A LATE NOTICE OF
CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the CSRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form.

The water right number for your late Notice of Claim must be indicated above in the blank space following "Subcase." To obtain your water right number, contact the Idaho Department of Water Resources. You must use a **separate form for each** late Notice of Claim.

By filing a Motion to File a Late Notice 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.

☒ I have read *CSRBA Administrative Order 1*, Rules of Procedure.

COPY

My name is _____

My address is _____

My phone number is: work _____ Home _____

☒ I am an attorney representing John Noble

My name is Nathan S. Ohler

My address is P.O. Box 1336

Coeur d'Alene, Idaho 83816

My phone number is (208) 664-5818

☒ I did not file a Notice of Claim to the use of water in the CSRBA because:

Claimant was unaware of the CSRBA adjudication, was not
required to file a Notice of Claim, and timely filed this motion
after becoming aware of the CSRBA and meeting with officials at
IDWR

☐ 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.)

See attached (1) Well Driller's Report; and (2) Pump Test
Procedure and Certificate Form.

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

Follow these instructions regarding the hearing on the motion.

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

This motion will be heard on January 21, 2020 @ 130 PST
(insert date and time)
at the CSRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

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 \$ 25.00.
- ☒ A claim filing fee and a late claim fee for those claims other than 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 \$ 25.00.

(Signature of person filing motion)

For claimant John Noble

(Attorney signing in representative capacity)

INSTRUCTIONS FOR MAILING

You must mail the Motion, to the Clerk of the court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on October 17, 2019, I mailed the original and copies of this Motion, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane 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

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

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



Signature of Movant or attorney
mailing on Movant's behalf

III. TESTING AND SAMPLING PROCEDURES

A. PUMP TEST PROCEDURE AND CERTIFICATION FORM

SUBJECT: Pump testing requirements for drinking water well sources

PURPOSE: To determine whether the well and aquifer are capable of supplying the water at the rate desired and to provide information necessary to determine the proper pump settings (depth) in the well.

1. The proposed source shall be pump-tested for a continuous four hours.
2. This test will establish the pump test rate, in gallons per minute. The rate must meet a minimum of one gallon per minute over the four-hour time period in order to meet the minimum daily demand requirement of 1440 gallons per single-family dwelling.
3. Following well construction, a completed and signed copy of the SCHD's pump test form (this form) shall be filed with the SCHD - Environmental Health Division - along with the water well report form (well log).

I certify that the well located at LOT 4 MICA PINES ESTATE
and owned by SDHA NOBLE meets the
above-described minimum specifications. The actual pump test rate
was 2.2 gallons per minute.

Brad L. Carley
SIGNATURE OF WELL DRILLER OR PUMP INSTALLER

DATE 1-9-96

0029

AAA PUMP SERVICE, INC.
S. 17 WILLOW
SPOKANE, WA 99205
(509) 926-4462 (208) 245-4103

AAA PUMP SERVICE, INC.
S. 17 WILLOW
SPOKANE, WA 99206
(509) 926-4462 (208) 245-4103