

03/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 34-13706

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: UNNAMED STREAM

TRIBUTARY: BIG LOST RIVER

THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT, OR TO RECAPTURE IT.

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/02/1946

POINT OF DIVERSION:

T03N R27E S14 NWSWNW Begin of Stream Flow Within BUTTE County

T03N R27E S22 NWSESW End of Stream Flow Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
STOCKWATER STORAGE	01/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER Within BUTTE County

T03N R27E S14	SWNW	T03N R27E S14	NESW
T03N R27E S14	NWSW	T03N R27E S14	SWSW
T03N R27E S14	SESW	T03N R27E S15	SESE
T03N R27E S22	NENE	T03N R27E S22	SWNE
T03N R27E S22	SENE	T03N R27E S22	NESW
T03N R27E S22	SESW	T03N R27E S22	SESW
T03N R27E S22	NWSE		

STOCKWATER STORAGE Within BUTTE County

T03N R27E S14	NESW	T03N R27E S14	NWSW
T03N R27E S14	SWSW	T03N R27E S14	SESW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

BLM ID NO 3403489506

☒ ☐ ☐ IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN
AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

PPD?: ☐ PD?: ☐ Adm?: ☐ Prob?: ☐

LC

AMENDED NOTICE of CLAIM for
Water Right number:

RECEIVED

Case No. 39576

3413706 (IDWR number)

DEC - 3 2002

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

Stg:

StFed:

3403489506

J

Department of Water Resources

Other Right and date:

SOURCE:

Source

Tributary

WASTE WATER

BIG LOST RIVER

QUANTITY:

0.02

CFS

or VOLUME:

Acre Feet

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

PRIORITY DATE:

08/02/1946

Diversion Means: IN DITCH STOCKWATERING

REMARKS:

POINT of
DIVERSION:

Township	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
04N	26E	26	NW	NW	NW			23	BUTTE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
04	0101	1231	0.02	
05	0101	1231	0.02	

CONSUMPTIVE
USE:

de minimis stockwater

DATE:

30-Jan-02

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

PLACE
of USE:

Water Use	Tw	Rge	Sec	T1	T2	LOT	within the County of
05	03N	27E	14	NE	SW		23 BUTTE
04	03N	27E	14	NE	SW		23 BUTTE
05	03N	27E	14	NW	SW		23 BUTTE
04	03N	27E	14	NW	SW		23 BUTTE
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PPD?: PD?: Adm?: Prob?: ☐

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BLMIDENT:

Stg: SIFed:

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Other Right and date:

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05	0101	1231	0.02					

CONSUMPTIVE
USE:

de minimis stockwater

DATE: 24-Jan-02

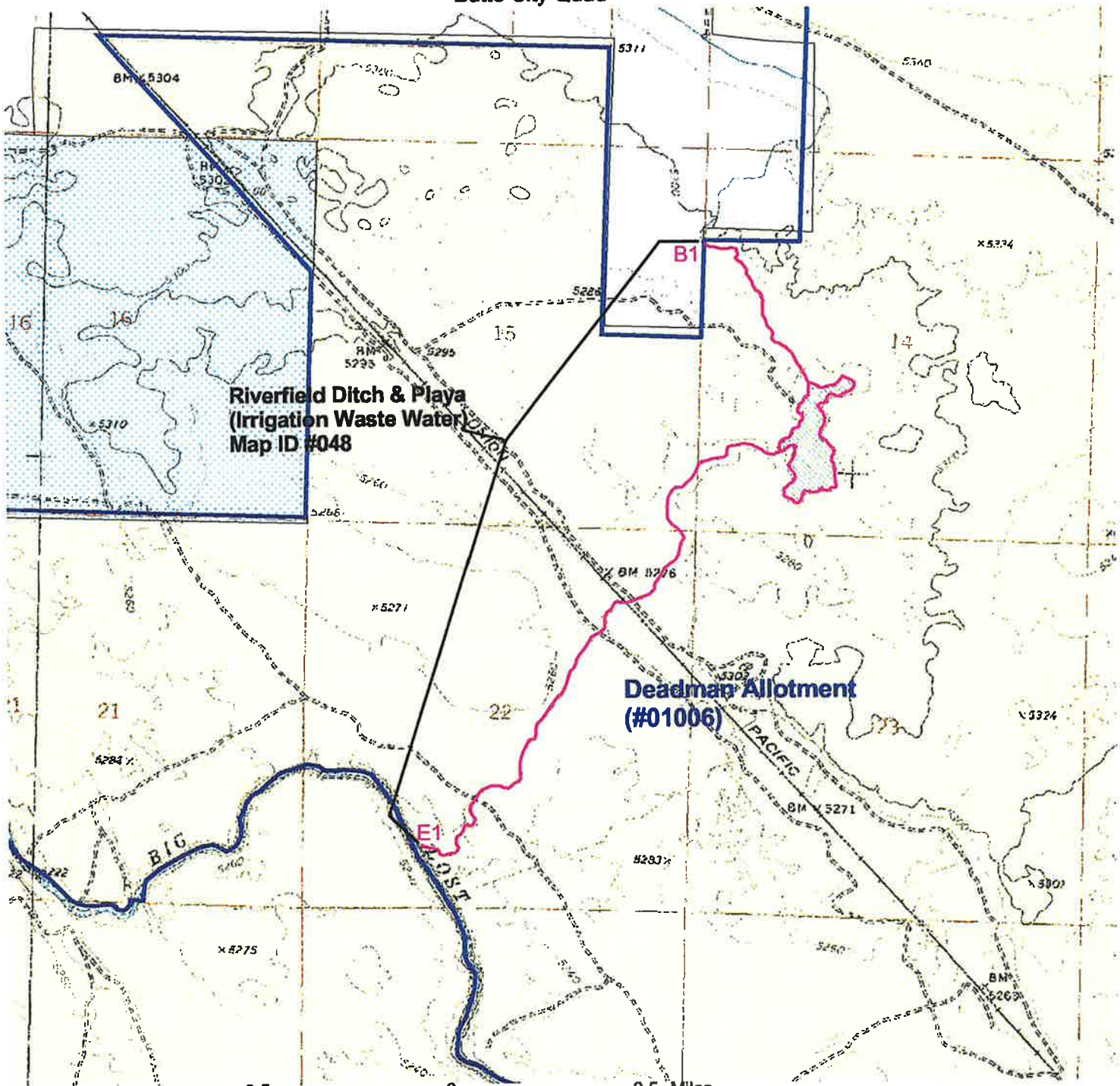
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04	03N	27E	22	SE	NE		23 BUTTE
04	03N	27E	22	SE	SW		23 BUTTE
04	03N	27E	22	SW	NE		23 BUTTE

Late Claim Filed in the SRBA - Basin 34
Riverfield Ditch & Playa - Map ID #048
T.03N, R.27E, S.14 NWSWNW - B1
T.03N, R.27E, S.22 NWSESW - E1
Deadman Allotment (#01006)
Butte City Quad



0.5 0 0.5 Miles

1:24,000 Scale

- Riverfieldditch_lateclaim.shp
- Allot_if
- lfo_pfo_own_mtpupdate.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability, or completeness of
this data for individual or aggregate use with other data.
Prepared by Deena Teel on 8/22/2001 from digitized data.

BUTTE COUNTY 023
IDAHO FALLS DISTRICT 5STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT. PLATT

[illegible]

1 1977-2. Det Pl 167 facd pl (cong 7/23/1955)
completed 12/22/1960. All FD surface area 17
ftw

1.1518 B.V.O. CI VOLT USE, BATTLE COUNTRY:

All unappropriated public land within

Sec 2C, W 1/2 SE 1/4

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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100

1000

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

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[illegible]

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Historical information on Self and Society

Journal of Interpersonal Violence 26(10) 1978-1994
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TABLE 1

[illegible]

1000

[illegible][illegible]

4. The following table shows the number of people who have been convicted of a crime in the United States since 1990. The number of people who have been convicted of a crime is shown in millions. The number of people who have been convicted of a crime is shown in millions.

Journal of Management Education 36(7) 809-824
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UNIDENTIFIED LANDS REFER TO INDEX OF

MISCELLANEOUS DOCUMENTS

COMMENT TO	COMMENT TO
SECRETARY	SECRETARY

USE PLATS:

**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	)	SUBCASE NO: <u>34-13706</u>
	)	
	)	(Insert Water Right Number)
Case No. 39576	)	STANDARD FORM 4
	)	
	)	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.

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

My name is: United States of America, acting through the
Department of Interior,
Bureau of Land Management,
Idaho State Office

My address is: 1387 South Vinnell Way
Boise, Idaho 83709-1657

My phone number is: Work: (208) 373-4000 Home: same

I am an attorney representing:
United States of America, acting through the
Department of Interior,
Bureau of Land Management,
Idaho State Office

My name is: Larry A. Brown

My address is: U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

My phone number is: (202) 305-0435
(202) 305-0274 Fax

MOTION TO FILE A LATE NOTICE OF CLAIM

- ☒ I did not file a Notice of Claim to the use of water in the SRBA because:
Recent field investigations and/or review of BLM documentation revealed a need
to make this additional claim.
- ☐ 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
stockwatering 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 notice of claim and supporting self-explanatory documentation.

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 \$_____.
n/a
- ☐ 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 (IDWR) in the amount of \$_____.
n/a

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 May 21, 2002, 1:30 pm.
(Insert Date and Time)

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

VERIFICATION (Must be completed)

State of Idaho

County of Ada

Gary A. Madenford, Water Rights Team Leader, being first duly sworn, upon
(Insert name of person filing form)
oath, deposes and says:

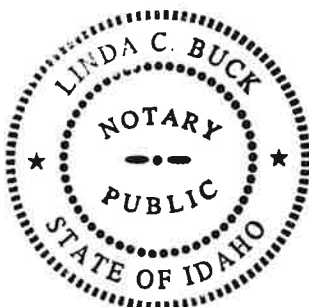
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that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

Larry A. Washburn
Signature of person filing motion

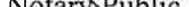
Larry A. Brown
Attorney signing in representative capacity

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

Subscribed and sworn to before me on this 31st day of January 2002



Seal


Notary Public in and for the State of : Idaho

Date: January 31, 2002

Residing at: Mountain Home, Idaho

My Commission Expires: December 21, 2005

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 Feb. 8, 2002 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. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States, Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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


Signature of person or attorney mailing the form

Water Right Number 34-13706

Signature:

(a.) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I do ___ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 4

I do solemnly swear or affirm that I am the Water Rights Team Leader
Title
of the United States of America, acting through U.S.D.I., BLM, that I have signed the foregoing documents in the space below as Water Rights Team Leader of the United States of
Title
America, acting through U.S.D.I., BLM, and that the statements contained in the foregoing documents are true and correct.

Signature of Authorized Agent

Gary A. Wendenford

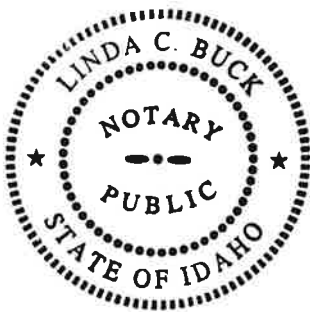
for the United States of America, acting through U.S.D.I., BLM

January 31, 2002

Date

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

Subscribed and sworn to before me on this 31st day of January 2002.



Seal

Linda C. Buck

Notary Public in and for the State of : Idaho

Date: January 31, 2002

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BLMIDENT: 3403489506 Stg: J StFed: S

OtherRight and date:

S O U R C E: Source Tributary

WASTE WATER BIG LOST RIVER

QUANTITY: 0.02 CFS or VOLUME: Acre Feet

The quantity of water under this right for stockwater shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/02/1946 Diversion Means: IN DITCH STOCKWATERING

REMARKS:

POINT of DIVERSION:

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DATE: 24-Jan-02

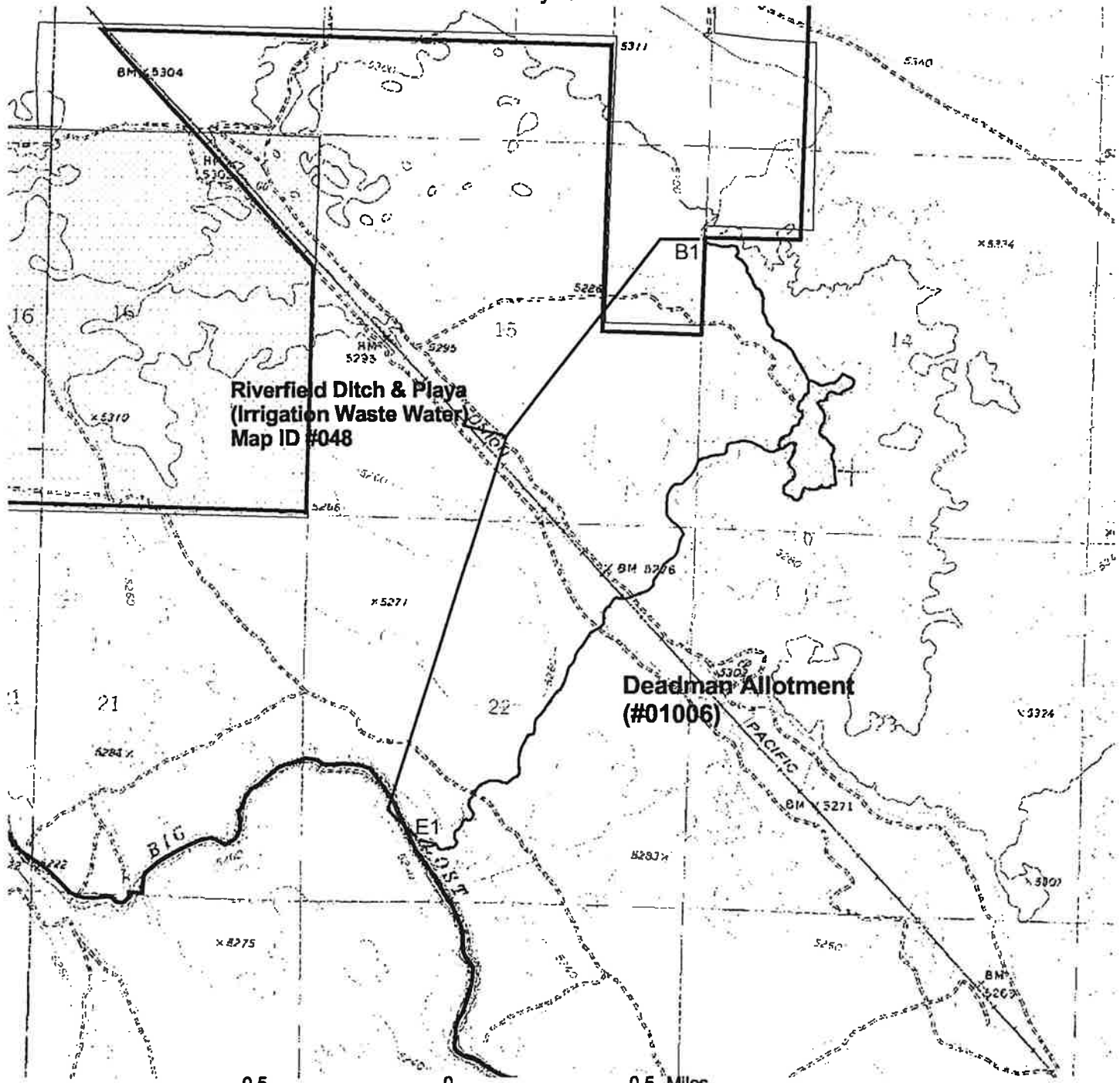
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04	03N	27E	14	NE	SW		23	BUTTE
05	03N	27E	14	NW	SW		23	BUTTE
04	03N	27E	14	NW	SW		23	BUTTE
05	03N	27E	14	SE	SW		23	BUTTE
04	03N	27E	14	SE	SW		23	BUTTE
04	03N	27E	14	SW	NW		23	BUTTE
05	03N	27E	14	SW	SW		23	BUTTE
04	03N	27E	14	SW	SW		23	BUTTE
04	03N	27E	15	SE	SE		23	BUTTE
04	03N	27E	22	NE	NE		23	BUTTE
04	03N	27E	22	NE	SW		23	BUTTE
04	03N	27E	22	NW	SE		23	BUTTE
04	03N	27E	22	SE	NE		23	BUTTE
04	03N	27E	22	SE	SW		23	BUTTE
04	03N	27E	22	SW	NE		23	BUTTE

Late Claim Filed in the SRBA - Basin 34
Riverfield Ditch & Playa - Map ID #048
T.03N, R.27E, S.14 NWSWNW - B1
T.03N, R.27E, S.22 NWSESW - E1
Deadman Allotment (#01006)
Butte City Quad



- Riverfieldditch_lateclaim.shp
- Allot_if
- lfo_pfo_own_mtpupdate.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

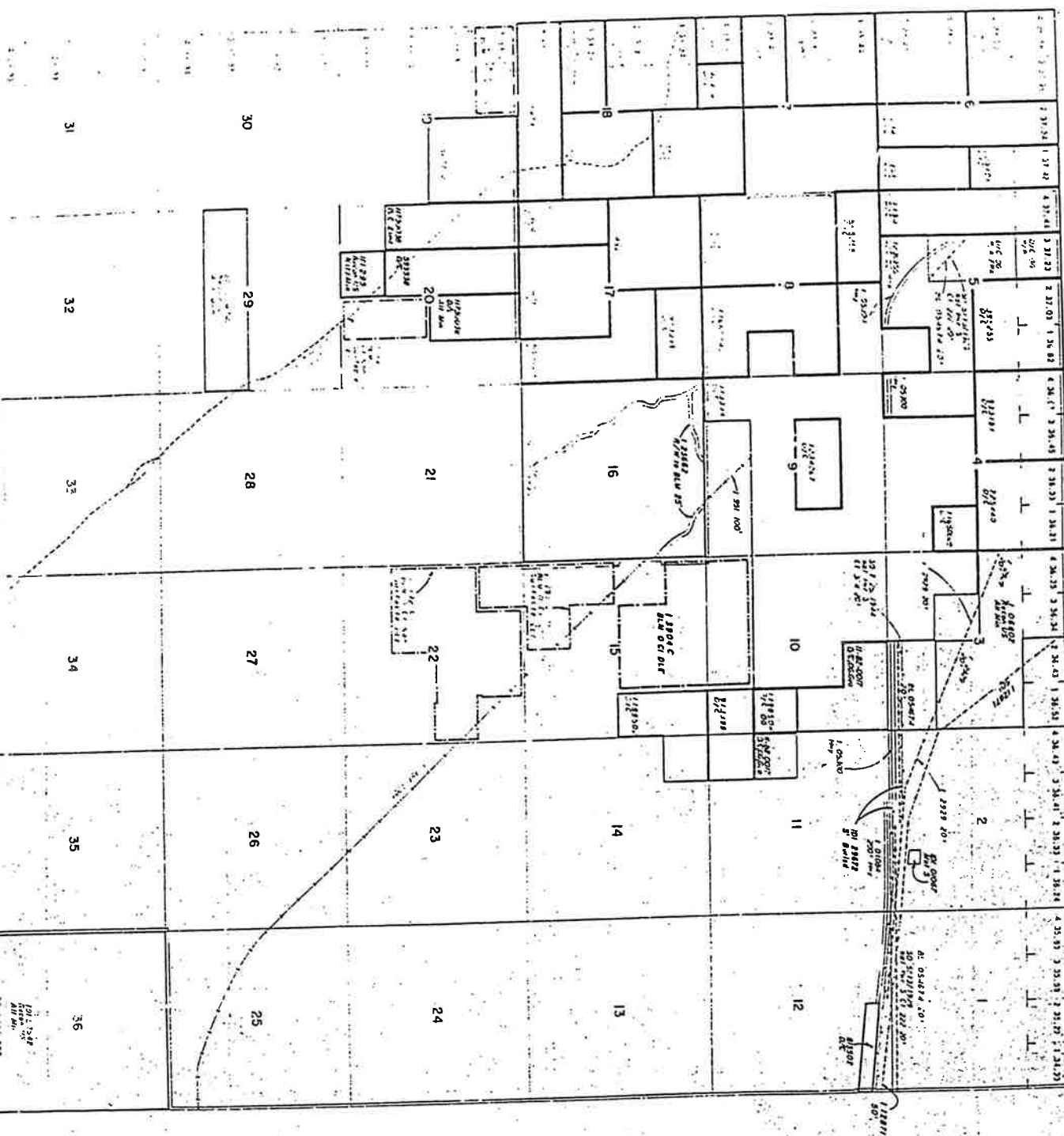
0.5 0 0.5 Miles
1:24,000 Scale

DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability, or completeness of
this data for individual or aggregate use with other data.
Prepared by Deena Teel on 8/22/2001 from digitized data.

BUTTE COUNTY 023
10400 FALLS CIRCLE S.W.

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS			
SEGREGATED TRACT NO.	TRACT NO.	TRACT	SEGREGATED TRACT NO.
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
5	5	5	5
6	6	6	6
7	7	7	7
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1971-2011 FBI Lat of (cong 7/23/1971)
completed 17/27/1960. All PD surface work by
RUB

1-1518 HW N CI built use, built tonight;
30yr from depopulation under 1st W. 1/4 & P
all unimproved public land within
Sec 13: S 1/2
Sec 26: W 1/2 SE 1/4
Sec 20: N 1/2 N 1/2 SW 1/4

Soc 22: N 1/2, N 1/2 SW 1/4

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Table 1

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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1

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Figure 1. A schematic diagram of the experimental setup. The subject is seated in a chair and views the screen through a mirror. The screen displays the target and the starting position of the hand. The hand is moved from the starting position to the target position. The distance between the starting position and the target position is the reach distance. The distance between the starting position and the mirror is the viewing distance. The distance between the mirror and the target is the target distance. The distance between the starting position and the target is the reach distance. The distance between the starting position and the mirror is the viewing distance. The distance between the mirror and the target is the target distance.

Year	Number of cases	Percentage of total cases
1980	10	0.1%
1981	15	0.2%
1982	20	0.3%
1983	25	0.4%
1984	30	0.5%
1985	35	0.6%
1986	40	0.7%
1987	45	0.8%
1988	50	0.9%
1989	55	1.0%
1990	60	1.1%
1991	65	1.2%
1992	70	1.3%
1993	75	1.4%
1994	80	1.5%
1995	85	1.6%
1996	90	1.7%
1997	95	1.8%
1998	100	1.9%
1999	105	2.0%
2000	110	2.1%
2001	115	2.2%
2002	120	2.3%
2003	125	2.4%
2004	130	2.5%
2005	135	2.6%
2006	140	2.7%
2007	145	2.8%
2008	150	2.9%
2009	155	3.0%
2010	160	3.1%
2011	165	3.2%
2012	170	3.3%
2013	175	3.4%
2014	180	3.5%
2015	185	3.6%
2016	190	3.7%
2017	195	3.8%
2018	200	3.9%
2019	205	4.0%
2020	210	4.1%

[illegible]

Technical Information

[illegible]

1990-1991

Received 10 October 2001; accepted 12 November 2001

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• **1990-1991** **1992-1993** **1994-1995** **1996-1997** **1998-1999** **2000-2001** **2002-2003** **2004-2005** **2006-2007** **2008-2009** **2010-2011** **2012-2013** **2014-2015** **2016-2017** **2018-2019** **2020-2021** **2022-2023** **2024-2025** **2026-2027** **2028-2029** **2030-2031** **2032-2033** **2034-2035** **2036-2037** **2038-2039** **2040-2041** **2042-2043** **2044-2045** **2046-2047** **2048-2049** **2050-2051** **2052-2053** **2054-2055** **2056-2057** **2058-2059** **2060-2061** **2062-2063** **2064-2065** **2066-2067** **2068-2069** **2070-2071** **2072-2073** **2074-2075** **2076-2077** **2078-2079** **2080-2081** **2082-2083** **2084-2085** **2086-2087** **2088-2089** **2090-2091** **2092-2093** **2094-2095** **2096-2097** **2098-2099** **2100-2101** **2102-2103** **2104-2105** **2106-2107** **2108-2109** **2110-2111** **2112-2113** **2114-2115** **2116-2117** **2118-2119** **2120-2121** **2122-2123** **2124-2125** **2126-2127** **2128-2129** **2130-2131** **2132-2133** **2134-2135** **2136-2137** **2138-2139** **2140-2141** **2142-2143** **2144-2145** **2146-2147** **2148-2149** **2150-2151** **2152-2153** **2154-2155** **2156-2157** **2158-2159** **2160-2161** **2162-2163** **2164-2165** **2166-2167** **2168-2169** **2170-2171** **2172-2173** **2174-2175** **2176-2177** **2178-2179** **2180-2181** **2182-2183** **2184-2185** **2186-2187** **2188-2189** **2190-2191** **2192-2193** **2194-2195** **2196-2197** **2198-2199** **2200-2201** **2202-2203** **2204-2205** **2206-2207** **2208-2209** **2210-2211** **2212-2213** **2214-2215** **2216-2217** **2218-2219** **2220-2221** **2222-2223** **2224-2225** **2226-2227** **2228-2229** **2230-2231** **2232-2233** **2234-2235** **2236-2237** **2238-2239** **2240-2241** **2242-2243** **2244-2245** **2246-2247** **2248-2249** **2250-2251** **2252-2253** **2254-2255** **2256-2257** **2258-2259** **2260-2261** **2262-2263** **2264-2265** **2266-2267** **2268-2269** **2270-2271** **2272-2273** **2274-2275** **2276-2277** **2278-2279** **2280-2281** **2282-2283** **2284-2285** **2286-2287** **2288-2289** **2290-2291** **2292-2293** **2294-2295** **2296-2297** **2298-2299** **2300-2301** **2302-2303** **2304-2305** **2306-2307** **2308-2309** **2310-2311** **2312-2313** **2314-2315** **2316-2317** **2318-2319** **2320-2321** **2322-2323** **2324-2325** **2326-2327** **2328-2329** **2330-2331** **2332-2333** **2334-2335** **2336-2337** **2338-2339** **2340-2341** **2342-2343** **2344-2345** **2346-2347** **2348-2349** **2350-2351** **2352-2353** **2354-2355** **2356-2357** **2358-2359** **2360-2361** **2362-2363** **2364-2365** **2366-2367** **2368-2369** **2370-2371** **2372-2373** **2374-2375** **2376-2377** **2378-2379** **2380-2381** **2382-2383** **2384-2385** **2386-2387** **2388-2389** **2390-2391** **2392-2393** **2394-2395** **2396-2397** **2398-2399** **2400-2401** **2402-2403** **2404-2405** **2406-2407** **2408-2409** **2410-2411** **2412-2413** **2414-2415** **2416-2417** **2418-2419** **2420-2421** **2422-2423** **2424-2425** **2426-2427** **2428-2429** **2430-2431** **2432-2433** **2434-2435** **2436-2437** **2438-2439** **2440-2441** **2442-2443** **2444-2445** **2446-2447** **2448-2449** **2450-2451** **2452-2453** **2454-2455** **2456-2457** **2458-2459** **2460-2461** **2462-2463** **2464-2465** **2466-2467** **2468-2469** **2470-2471** **2472-2473** **2474-2475** **2476-2477** **2478-2479** **2480-2481** **2482-2483** **2484-2485** **2486-2487** **2488-2489** **2490-2491** **2492-2493** **2494-2495** **2496-2497** **2498-2499** **2500-2501** **2502-2503** **2504-2505** **2506-2507** **2508-2509** **2510-2511** **2512-2513** **2514-2515** **2516-2517** **2518-2519** **2520-2521** **2522-2523** **2524-2525** **2526-2527** **2528-2529** **2530-2531** **2532-2533** **2534-2535</**

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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**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

) Subcase Numbers: See Attached Exhibit A

)

) **ORDER DENYING STATE OF**
) **IDAHO'S MOTION FOR AN ORDER**
) **DENYING LEAVE TO FILE LATE**
) **NOTICES OF CLAIM IN BASIN 34**

Case No. 39576

)

) **AND GRANTING UNITED STATES'**
) **MOTIONS TO FILE LATE NOTICE OF**
) **CLAIM**

The United States filed Motions to File Late Notice of Claim in each of the above-referenced subcases. The State of Idaho filed a Motion for an Order Denying Leave to File Late Notice of Claim in Basin 34 and Requiring a Status Report and a Brief in Support of Motion Re Stock Watering Claims in the above-captioned subcases. The United States filed a Memorandum in Opposition to the State of Idaho's Motion. Oral argument was heard by the Court on June 18, 2002. Having reviewed the record herein and hearing the argument of counsel, and the Court being fully informed, it is hereby

ORDERED that the State of Idaho's Motion for an Order Denying Leave to File Late Notice of Claim is **DENIED**.

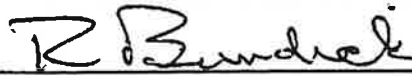
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PAGE 1 - **ORDER DENYING STATE OF IDAHO'S MOTION FOR AN ORDER DENYING LEAVE
TO FILE LATE NOTICES OF CLAIM IN BASIN 34 AND REQUIRING A STATUS
REPORT AND GRANTING UNITED STATES' MOTIONS TO FILE LATE NOTICE OF
CLAIM**

IT IS FURTHER ORDERED that the United States' Motions to File Late Notice of Claim
are GRANTED.

DATED this 12th day of July, 2002.



Roger S. Burdick
Presiding Judge
Snake River Basin Adjudication

Submitted by:



Larry A. Brown
Of Attorneys for the United States

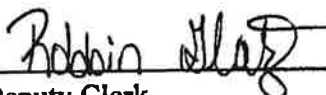
CERTIFICATE OF SERVICE

I certify that on July 12, 2002, I served a true and correct copy of the foregoing **ORDER DENYING STATE OF IDAHO'S MOTION FOR AN ORDER DENYING LEAVE TO FILE LATE NOTICES OF CLAIM IN BASIN 34 AND REQUIRING A STATUS REPORT AND GRANTING UNITED STATES' MOTION TO FILE LATE NOTICES OF CLAIM** by placing the documents in the United States Mail in Twin Falls, Idaho, postage paid, and addressed as follows:

U.S. Department of Justice
General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Mr. David J. Barber
Deputy Attorney General
Office of the Attorney General
Natural Resources Division
State of Idaho
P.O. Box 44449
Boise, ID 83720-0098

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098



Deputy Clerk

EXHIBIT A

Subcase Numbers:

34-13676
34-13677
34-13678
34-13679
34-13681
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