

DEC 22 2021

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 SRBA
Case No. 39576

) Subcase
) 63-11858
)

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

Please fill in the following information:

NAME AND ADDRESS OF WATER RIGHT CLAIMANT.

Name: Nicholas & Rebecca Drake
Address: 6107 W. Hollylynn Drive
Boise, Idaho 83709
Daytime Phone: 208-866-0983

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, Idaho 83702-2139

I HAVE ATTACHED:

- X A fully completed Notice of Claim (available from IDWR).
- X 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:

- X The procedures governing the filing and prosecution of this Motion as set forth in the Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012.
- X 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 IDWR files an *Affidavit of Publication* in the above- captioned matter evidencing that the Department has 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 I the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims, as amended*.

Signed: _____

Thibault R. [Signature]

Dated: _____

12-6-2021

CERTIFICATE OF MAILING

I certify that on December 17, 2021, I mailed the 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
PO Box 83720
Boise, ID 83720-0098

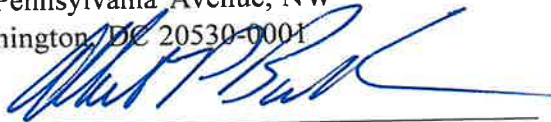
United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

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

3. Certified Mail Copies to:

U.S. Attorney's Office
1290 W. Myrtle St., Suite 500
Boise, ID 83702

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



Signature of person or attorney mailing the form