

DEPARTMENT OF
WATER RESOURCES

My name is Mark D. Weller, Assistant General Counsel

My address is 3700 Park East Drive, Suite 300
Beachwood, Ohio 44122

My phone number is: work 216-218-4155 Home _____

☒ I am an attorney representing Real Alloy Recycling, LLC

My name is Mark D. Weller

My address is Same as above

My phone number is 216-218-4155

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

Did Not Receive Original Notice; we do not have full
administrative support during Covid and many have been
working remotely.

☐ 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.)

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 _____

(insert date and time)

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

Desire to attend via telephone if needed. I am an Ohio based attorney (Ohio Registration # 0008340)

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 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 \$ 54.00.



(Signature of person filing motion)



(Attorney signing in representative capacity)

*Assistant General Counsel
Real Away Recycling, LLC*

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 December 27, 2021, 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

Mark D. Weller
Assistant General Counsel
Real Alloy Recycling, LLC
216-218-4155
m.weller@RealAlloy.com