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AUG 15 2003

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)

A. Subcase

29-291A

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

L. NORMAN & A. MARIE ROGERS

Address:

3020 NO RAPID CREEK ROAD

INKOM, ID 83245

Daytime Phone:

208-233-3789

Name & Address of Attorney, if any:

N/A

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

PAMELA N CLARKE

Address:

3020 NO RAPID CREEK

INKOM ID 83245

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 0.09 NOT 0.02 CFS
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): 0.02 CFS IS NOT ENOUGH

WATER TO WATER 4.5 ACRES; IT SHOULD BE
CHANGED TO 0.09 CFS TO BE AN ADEQUATE
AMOUNT OF WATER

F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.

County of BANNOCK

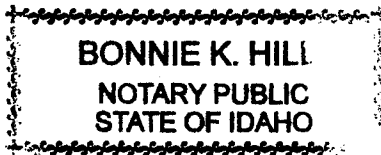
L NORMAN ROGERS, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

L Norman Rogers
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: AUGUST 13, 2003



Bonnie K. Hill
Notary Public for IDAHO
Residing at: PACATELLO
My Commission Expires: 2-2-07

INSTRUCTIONS FOR MAILING

You must mail the objection, 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.

G. CERTIFICATE OF MAILING

I certify that on AUGUST 13, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the claimant of the water right at the following address:

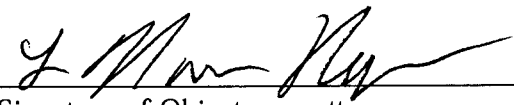
Name: L. NORMAN ROGERS
Address: 3020 N. RAPID CREEK
INKOM ID 83245

3. 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



Signature of Objector or attorney
mailing on Objector's behalf



Steve M. Payne

Steve M. Payne

N M. Dan Morrison MAP

Johnso

THIS MAP IS MADE SOLELY FOR
THE PURPOSE OF ASSISTING IN
LOCATING THE PREMISES. THE
COMPANY ASSUMES NO LIABILITY
FOR ALLEGED LOSS OR DAMAGE WHICH
MAY RESULT FROM RELIANCE ON THIS

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3-1
WARRANTY DEED20317102
RECEIVED

AUG 15 2003

Department of Water Resources

For Value Received **PAMELA N. CLARKE**, an unmarried woman

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

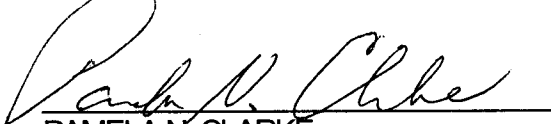
L NORMAN ROGERS and A. MARIE ROGERS, husband and wife *LNR AMR*whose address is: **3020 NORTH RAPID CREEK ROAD, INKOM, ID 83245**Hereinafter called the Grantee, the following described premises situated in **Bannock County, Idaho**, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:- 06/25/03

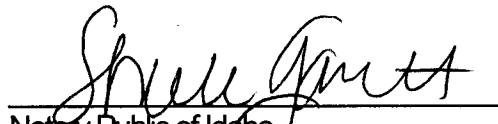
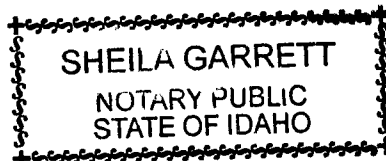

 PAMELA N. CLARKE

STATE OF Idaho

)ss.

COUNTY OF BANNOCK

On this 26th day of June, 2003, before me Sheila Garrett, personally appeared PAMELA N. CLARKE, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) IS subscribed to the within instrument, and acknowledged to me that SHE executed the same.


 Notary Public of Idaho
 Residing at Inkom, Idaho
 Commission Expires: 09/17/05

 20317102
 FIRST AMERICAN TITLE
 RECORDED AT REQUEST OF
 FEE 9 DEPUTY M

 2003 JUN 27 PM 2 03
 OFFICIAL RECORD BK# 832
 LARRY MOHAN RECORDER
 BANNOCK COUNTY IDAHO

3-2

20317102

PARCEL 1:

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 22, SAID POINT BEING MARKED BY A 3 INCH ALUMINUM CAP STAMPED LS 968; THENCE SOUTH 0°20'05" WEST ALONG THE EAST LINE OF SAID SECTION 98.01 FEET TO A ½-INCH IRON PIN TAGGED LS 968; THENCE SOUTH 89°49'07" WEST PARALLEL TO THE NORTH LINE OF SAID SECTION 824.46 FEET TO A ½-INCH IRON PIN TAGGED LS 968; THENCE SOUTH 49°10'17" WEST, 89.79 FEET TO A ½-INCH IRON PIN TAGGED LS 968; THENCE SOUTH 66°36'34" WEST, 36.33 FEET TO THE EAST LINE OF RAPID CREEK ROAD, SAID POINT BEING MARKED BY A ½-INCH IRON PIN TAGGED LS 968; THENCE NORTH 33°44'30" EAST ALONG SAID EAST LINE 64.60 FEET; THENCE ALONG A CURVE CONCAVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 16°54'34" A RADIUS OF 648.38 FEET, FOR AN ARC LENGTH OF 191.35 FEET; THENCE NORTH 50°47'34" EAST ALONG SAID EAST LINE 49.04 FEET; THENCE ALONG A CURVE CONCAVE TO THE LEFT SAID CURVE HAVING A CENTRAL ANGLE OF 17°48'28" A RADIUS OF 724.75 FEET, FOR AN ARC LENGTH OF 225.25 FEET; THENCE NORTH 36°54'13" EAST ALONG SAID EAST LINE 95.13 FEET; SAID POINT BEING MARKED BY A ½-INCH IRON PIN TAGGED LS 968; THENCE SOUTH 50°16'10" EAST, 128.67 FEET TO A ½-INCH IRON PIN TAGGED LS 968; THENCE SOUTH 74°17'50" EAST, 316.81 FEET TO A ½-INCH IRON PIN TAGGED LS 968; THENCE SOUTH 79°55'20" EAST, 117.08 FEET TO THE EAST LINE OF SAID SECTION 15, SAID POINT BEING MARKED BY A ½-INCH IRON PIN TAGGED LS 968; THENCE SOUTH 0°56'52" WEST ALONG SAID EAST LINE 106.85 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14, THENCE NORTH 0°22'48" EAST ALONG THE WEST LINE OF SAID SECTION, 71.89 FEET TO THE CENTERLINE OF RAPID CREEK AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°22'48" EAST ALONG SAID WEST SECTION LINE, 35.00 FEET; THENCE NORTH 87°51'57" EAST, 349.18 FEET TO THE CENTERLINE OF RAPID CREEK; THENCE SOUTH 2°05'14" WEST ALONG SAID CENTERLINE, 20.00 FEET; THENCE SOUTH 79°40'43" WEST, 107.88 FEET ALONG SAID CENTERLINE; THENCE SOUTH 44°36'02" WEST ALONG SAID CENTERLINE, 133.03 FEET; THENCE NORTH 59°58'58" WEST ALONG SAID CENTERLINE, 171.97 FEET TO THE POINT OF BEGINNING.

EXCEPT:

A PARCEL OF LAND LOCATED IN SECTION 14 AND 23, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, IT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SECTION 14 A FOUND 3" ALUM. CAP LS-968; THENCE NORTH 0°22'48" EAST ALONG THE WEST LINE OF SECTION 14 A DISTANCE OF 106.72 FEET TO A POINT THE WEST ¼ (INSTRUMENT NO. 690532) OF SECTION 14 BEARS NORTH 0°22'48" AND IS 2589.57 FEET DISTANT; THENCE NORTH 87°52'21" EAST A DISTANCE OF 349.16 FEET TO A POINT ON THE EAST LINE OF A PARCEL OF LAND CONVEYED TO WES KENT BY DON HAMMOND AND SHOWN ON R.O.S. INSTRUMENT NO. 761922, SAID POINT FALLS IN CENTER OF RAPID CREEK AND IS THE TRUE POINT OF BEGINNING; THENCE NORTH 2°05'38" EAST ALONG EAST LINE OF SAID PARCEL A DISTANCE OF 179.85 FEET TO A POINT; THENCE NORTH 40°05'21" WEST A DISTANCE OF 8.71 FEET TO THE SOUTH LINE OF THE SPRAKER PROPERTY AND AN INTERSECTION WITH AN EXISTING FENCE LINE; THENCE

3-3

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NORTH 88°42'57" EAST ALONG SAID FENCE LINE A DISTANCE OF 963.16 FEET TO A POINT; THENCE SOUTH 0°04'34" EAST ALONG AN EXISTING FENCE LINE A DISTANCE OF 326.06 FEET TO AN INDIAN ALLOTMENT POST; THENCE CONTINUING ALONG SAID FENCE LINE SOUTH 0°35'38" EAST A DISTANCE OF 406.91 FEET TO A POINT; THENCE NORTH 75°14'25" WEST ALONG AN EXISTING FENCE LINE A DISTANCE OF 395.66 FEET TO A POINT; THENCE NORTH 56°41'56" WEST A DISTANCE OF 537.81 FEET TO A POINT; THENCE NORTH 28°12'31" WEST A DISTANCE OF 149.04 FEET TO A POINT; THENCE SOUTH 87°52'21" WEST A DISTANCE OF 66.02 FEET TO A POINT TO THE TRUE POINT OF BEGINNING.

SUBJECT TO AN ACCESS EASEMENT TO BE RETAINED BY HAMMOND'S BEGINNING AT THE TPOB OF THE ABOVE PARCEL; THENCE NORTH 2°05'38" EAST 50 FEET; THENCE NORTH 87°52'21" EAST 60 FEET; THENCE SOUTH 2°05'38" WEST 50 FEET; THENCE SOUTH 87°52'21" WEST TO THE TPOB.

ALSO EXCEPT:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 14, AND THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 15, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14, THENCE NORTH 0°22'48" EAST ALONG THE WEST LINE OF SAID SECTION 14 106.89 FEET TO THE POINT OF BEGINNING; THENCE NORTH 80°30'47" WEST 117.15 FEET, RECORDED AS NORTH 79°55'20" WEST 117.08 FEET; THENCE NORTH 74°51'12" WEST 316.97 FEET, RECORDED AS NORTH 74°17'50" WEST 316.81 FEET; THENCE NORTH 50°49'17" WEST 128.03 FEET TO THE EAST RIGHT OF WAY LINE OF RAPID CREEK ROAD, RECORDED AS NORTH 50°16'10" WEST 128.67 FEET; THENCE NORTH 38°17'11" EAST ALONG SAID RIGHT OF WAY LINE 365.88 FEET; THENCE 106.76 FEET ALONG SAID RIGHT OF WAY LINE ON A CURVE TO THE LEFT, SAID CURVE HAVING A DELTA OF 13°50'34" AND A RADIUS OF 441.89 FEET; THENCE NORTH 24°26'37" EAST ALONG SAID EAST RIGHT OF WAY LINE 563.97 FEET; THENCE 32.11 FEET ALONG SAID RIGHT OF WAY ON A CURVE TO THE LEFT, SAID CURVE HAVING A DELTA OF 2°50'52" AND A RADIUS OF 645.96 FEET TO THE WEST SECTION LINE OF SECTION 14; THENCE SOUTH 0°22'48" WEST ALONG SAID SECTION LINE 881.02 FEET; THENCE NORTH 89°16'14" EAST ALONG A LINE PARALLEL WITH AND 330.00 FEET NORTH OF THE SOUTH LINE OF SECTION 14 325.00 FEET TO THE CENTERLINE OF RAPID CREEK; THENCE SOUTH 40°05'45" EAST ALONG SAID CENTERLINE 45.11 FEET; THENCE SOUTH 2°05'14" WEST ALONG SAID CENTERLINE 179.85 FEET; THENCE SOUTH 87°51'57" WEST 349.18 FEET TO THE POINT OF BEGINNING.

SAID PARCEL SUBJECT TO A 50.00 FOOT WIDE ACCESS AND UTILITY EASEMENT ALONG THE SOUTH LINE OF SAID PARCEL. ANY ROAD CONSTRUCTED WITHIN SAID EASEMENT SHALL NOT EXCEED 30.00 FEET WIDE FROM SHOULDER TO SHOULDER AND THE SOUTHERLY SHOULDER SHALL BE PLACED ON THE SOUTH LINE OF SAID PARCEL.