

RECEIVED  
JAN 27 2001  
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

A. Subcase SEE ITEM E on

(Insert water right number  
From the Objection Form)

OBJECTORS  
Form.

STANDARD FORM 2  
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: INDIAN FALLS WATER USERS ASSOC. (PRES. PHIL HODGENS)  
Address: PO BOX 134  
LAUA HOT SPRINGS, ID. 83246  
Daytime Phone: (208) 589-1158

Name & Address of Attorney, if any:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO  
WHICH YOU ARE RESPONDING

Name: WATER VALLEY DEVELOPMENT LLC  
Address: 5223 South 11th East  
TWIN FALLS, ID. 83404

**D** I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
11. ☐ Recommendation

☒ This water right should not exist.

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

**Item E on Objectors Attachment**

**E**

### VERIFICATION (Must be Completed)

State of Idaho )  
 )ss.

County of Bannock )

Henry P. Hudgens, duly sworn, upon oath, deposes and says:  
(Name of person filing response)

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

Henry P. Hudgens  
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 5 2004

Notary Public for Idaho

Residing at: Laurel Hot Springs, Idaho

My Commission Expires: May 31 2006



## INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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 1/17 <sup>2004</sup> I mailed the original and copies of this response, 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: \_\_\_\_\_  
Address: \_\_\_\_\_

3. One copy to the party who filed the objection at the following address:

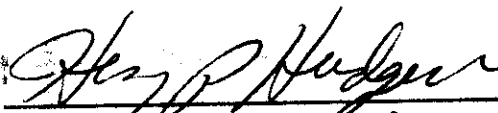
Name: MIRVALLEY DEVEL. INC. ATT. TED SORENSON  
Address: 5203 S. HILL E. TWIN FALLS ID. 83404

4. 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 & Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724



Your signature or signature of attorney  
mailing on your behalf

Attachment Standard form 1 objection

1. WATER RIGHT NO. 29-4364

**Owner Type**      **Name and Address**

Current Owner I GLENN PERKINS

Current Owner MARY D PERKINS

PO BOX 683

POCATELLO, ID 83204

(208)232-4547

2. WATER RIGHT NO. 29-4467

**Owner Type**      **Name and Address**

Current Owner LAVA IRRIGATION CO INC

PO BOX 182

LAVA HOT SPRINGS, ID 83246

3. WATER RIGHT NO. 29-10816

**Owner Type**      **Name and Address**

Current Owner LAVA IRRIGATION CO INC

PO BOX 182

LAVA HOT SPRINGS, ID 83246

4. WATER RIGHT NO. 29-11277

**Owner Type**      **Name and Address**

Current Owner PORTNEUF IRRIGATION CO

C/O CONNIE MARIE JONS

PO BOX 157

ARIMO, ID 83214

(208)254-3681

5. WATER RIGHT NO. 29-11681

**Owner Type**      **Name and Address**

Current Owner COLLEEN L ANDRUS

-Current Owner JIM ANDRUS

Current Owner KENNETH D ANDRUS  
6948 E OLD OREGON TRAIL RD  
LAVA HOT SPRINGS, ID 83246  
(208)776-5380

6. WATER RIGHT NO. 29-11773

| <u>Owner Type</u> | <u>Name and Address</u>                                                                              |
|-------------------|------------------------------------------------------------------------------------------------------|
| Current Owner     | DEMPSEY IRRIGATING CO<br>C/O EARL SMITH<br>PO BOX 235<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5348 |

Current Owner TOPAZ IRRIGATION CO  
C/O GENE FAGNANT  
PO BOX 293  
LAVA HOT SPRINGS, ID 83246  
(208)776-5289

7. WATER RIGHT NO. 29-11774

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                        |
|-------------------|----------------------------------------------------------------------------------------------------------------|
| Current Owner     | FISH CREEK IRRIGATING CO<br>C/O WALLACE WHITEHEAD<br>PO BOX 152<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5253 |

8. WATER RIGHT NO. 29-11775

| <u>Owner Type</u> | <u>Name and Address</u>                                             |
|-------------------|---------------------------------------------------------------------|
| Current Owner     | CARROLL AND IONE WILLMORE ESTATE<br>C/O JIM WILLMORE<br>519 PARK ST |

ST ANTHONY, ID 83445  
(208)624-7692

Original Owner CARROLL E WILLMORE  
C/O JIM WILLMORE  
PO BOX 342  
LAVA HOT SPRINGS, ID 83246  
(208)776-5391

Original Owner IONE WILLMORE  
C/O SHARON KNOWLES  
PO BOX 342  
LAVA HOT SPRINGS, ID 83246  
(208)776-5391

9. WATER RIGHT NO. 29-13213

| <u>Owner Type</u> | <u>Name and Address</u>                                                   |
|-------------------|---------------------------------------------------------------------------|
| Current Owner     | BARBARA W KEVAN<br>3462 N 2500 E<br>TWIN FALLS, ID 83301<br>(208)733-5730 |

10. WATER RIGHT NO. 29-13279

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | CANDICE SYMONS                                                             |
| Current Owner     | LYNDEN SYMONS<br>PO BOX 604<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5316 |

11. WATER RIGHT NO. 29-13289

| <u>Owner Type</u> | <u>Name and Address</u>      |
|-------------------|------------------------------|
| Current Owner     | DAVID LEE LOSEE<br>PO BOX 27 |

LAVA HOT SPRINGS, ID 83246  
(208)776-5630

12. WATER RIGHT NO. 29-13299

**Owner Type**      **Name and Address**

Current Owner MARGIE H STEWART  
8574 BOB SMITH RD  
LAVA HOT SPRINGS, ID 83246  
(208)776-9770

Current Owner LYNN W STEWART  
8574 S BOB SMITH RD  
LAVA HOT SPRINGS, ID 83246  
(208)776-9770

13. WATER RIGHT NO. 29-13310

**Owner Type**      **Name and Address**

Current Owner FAGNANT & OLSON RANCH LLC  
PO BOX 293  
LAVA HOT SPRINGS, ID 83246  
(208)776-5290

Original Owner FRANCIS G FAGNANT  
PO BOX 293  
LAVA HOT SPRINGS, ID 83246  
(208)776-5289

Original Owner RUTH ANN OLSON  
PO BOX 644  
LAVA HOT SPRINGS, ID 83246  
(208)776-5290

14. WATER RIGHT NO. 29-13320

**Owner Type**      **Name and Address**

Current Owner CARL L PHILLIPS  
Current Owner NOLA RAE PHILLIPS  
2884 W 1400 S

ABERDEEN, ID 83210  
(208)397-4690

15. WATER RIGHT NO. 29-13321

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Current Owner     | CARL L PHILLIPS         |
| Current Owner     | NOLA RAE PHILLIPS       |
|                   | 2884 W 1400 S           |
|                   | ABERDEEN, ID 83210      |
|                   | (208)397-4690           |

16. WATER RIGHT NO. 29-13334

| <u>Owner Type</u> | <u>Name and Address</u>    |
|-------------------|----------------------------|
| Current Owner     | RONNIE D TILLOTSON         |
| Current Owner     | SHERIL TILLOTSON           |
|                   | PO BOX 261                 |
|                   | LAVA HOT SPRINGS, ID 83246 |
|                   | (208)776-5267              |

17. WATER RIGHT NO. 29-13363

| <u>Owner Type</u> | <u>Name and Address</u>        |
|-------------------|--------------------------------|
| Current Owner     | INDIAN FALLS WATER USERS ASSOC |
|                   | PHIL HUDGENS PRES              |
|                   | PO BOX 134                     |
|                   | LAVA HOT SPRINGS, ID 83246     |
|                   | (208)254-3062                  |

|               |                            |
|---------------|----------------------------|
| Current Owner | INDIAN FALLS PROPERTY ASSN |
|               | C/O EARL MAPES             |
|               | 1061 SAGEWOOD PL           |

POCATELLO, ID 83201

(208)233-1713

18. WATER RIGHT NO. 29-13407

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
|-------------------|-------------------------|

|               |                                                                                      |
|---------------|--------------------------------------------------------------------------------------|
| Current Owner | NATHAN CASPERSON<br>8789 E MAUGHAN RD<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5519 |
|---------------|--------------------------------------------------------------------------------------|

|               |                                                                                     |
|---------------|-------------------------------------------------------------------------------------|
| Current Owner | BRETT CASPERSON<br>8893 E MAUGHAN RD<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5428 |
|---------------|-------------------------------------------------------------------------------------|

19. WATER RIGHT NO. 29-13521

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
|-------------------|-------------------------|

|               |                                                                            |
|---------------|----------------------------------------------------------------------------|
| Current Owner | EVELEE HILL RUSH                                                           |
| Current Owner | ROBERT E RUSH<br>PO BOX 129<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5800 |

|                |                                                                         |
|----------------|-------------------------------------------------------------------------|
| Original Owner | MAX W HALL<br>PO BOX 784<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5663 |
|----------------|-------------------------------------------------------------------------|

20. WATER RIGHT NO. 29-13535

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
|-------------------|-------------------------|

|               |                                                                     |
|---------------|---------------------------------------------------------------------|
| Current Owner | AMBER HALL                                                          |
| Current Owner | JASON HALL<br>1302 AMMON ST<br>POCATELLO, ID 83201<br>(208)232-0555 |

Original Owner MAX W HALL  
PO BOX 784  
LAVA HOT SPRINGS, ID 83246  
(208)776-5663

21. WATER RIGHT NO. 29-13536

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | NATALIE GUNTER                                                       |
| Current Owner     | RUSSELL GUNTER<br>PO BOX 433<br>MC CAMMON, ID 83250<br>(208)221-4682 |

Original Owner MAX W HALL  
PO BOX 784  
LAVA HOT SPRINGS, ID 83246  
(208)776-5663

22. WATER RIGHT NO. 29-13580

| <u>Owner Type</u> | <u>Name and Address</u>                                                 |
|-------------------|-------------------------------------------------------------------------|
| Current Owner     | MAX W HALL<br>PO BOX 784<br>LAVA HOT SPRINGS, ID 83246<br>(208)776-5663 |

23. WATER RIGHT NO. 29-13581

| <u>Owner Type</u> | <u>Name and Address</u>                                                |
|-------------------|------------------------------------------------------------------------|
| Current Owner     | JEFFERY F HARRIS<br>PO BOX 252<br>MC CAMMON, ID 83250<br>(208)254-3454 |

Original Owner MAX W HALL  
PO BOX 784  
LAVA HOT SPRINGS, ID 83246  
(208)776-5663

24. WATER RIGHT NO. 29-13582

| <u>Owner Type</u> | <u>Name and Address</u>                                                |
|-------------------|------------------------------------------------------------------------|
| Current Owner     | JEFFERY F HARRIS<br>PO BOX 252<br>MC CAMMON, ID 83250<br>(208)254-3454 |

Original Owner MAX W HALL  
PO BOX 784  
LAVA HOT SPRINGS, ID 83246  
(208)776-5663

25. WATER RIGHT NO. 29-13583

| <u>Owner Type</u> | <u>Name and Address</u>                                                |
|-------------------|------------------------------------------------------------------------|
| Current Owner     | JEFFERY F HARRIS<br>PO BOX 252<br>MC CAMMON, ID 83250<br>(208)254-3454 |

Original Owner MAX W HALL  
PO BOX 784  
LAVA HOT SPRINGS, ID 83246  
(208)776-5663

26. WATER RIGHT NO. 29-13584

| <u>Owner Type</u> | <u>Name and Address</u>                    |
|-------------------|--------------------------------------------|
| Current Owner     | LANA NAEF                                  |
| Current Owner     | LARRY NAEF<br>5812 E OLD OREGON TRAIL ROAD |

LAVA HOT SPRINGS, ID 83246

Original Owner MAX W HALL

PO BOX 784

LAVA HOT SPRINGS, ID 83246

(208)776-5663

27. WATER RIGHT NO. 29-13586

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
|-------------------|-------------------------|

|               |            |
|---------------|------------|
| Current Owner | ROBIN HULL |
|---------------|------------|

2142 ARBON VALLEY HWY

POCATELLO, ID 83204

(208)234-1044

Original Owner MAX W HALL

PO BOX 784

LAVA HOT SPRINGS, ID 83246

(208)776-5663