

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

Name: C M LLC
Address: 737 N 7th St.
Boise, ID 83702

D. I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: Idaho Department of Lands
954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
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: _____
10. **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):

The State of Idaho, through the Idaho Department of Lands, is the owner of the land upon which use is claimed. This land is Public School endowment land. This land consists of a portion of section 30, Township 5 North, Range 5 East, Boise Meridian. The overlap of the place of use for Notice of Claim No. 63-05373 with the Public School Endowment Land is shown on Attachment I. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be on such lands.

The State of Idaho acquired the place from the claimant in a warranty deed dated April 10, 2000. A copy is attached as Attachment II.

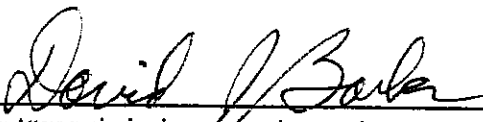
F. VERIFICATION

State of Idaho)
) ss.
County of Ada)

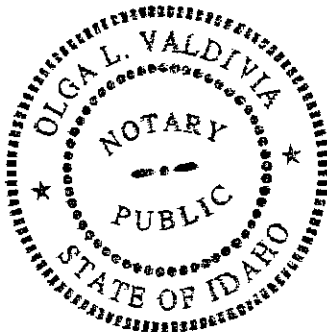
David J. Barber, being first duly sworn, upon oath, deposes and says:

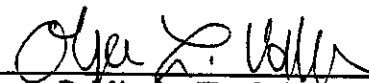
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands, which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
DAVID J. BARBER
Deputy Attorney General
Idaho Department of Lands


By Attorney signing in representative capacity

Subscribed and sworn to before me on: 1-28-03
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/06

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 January 28, 2003, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

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

U.S. MAIL

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

C M LLC
737 N 7th St.
Boise, ID 83702

U.S. MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

STATEHOUSE MAIL

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

(not applicable)

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

U.S. MAIL

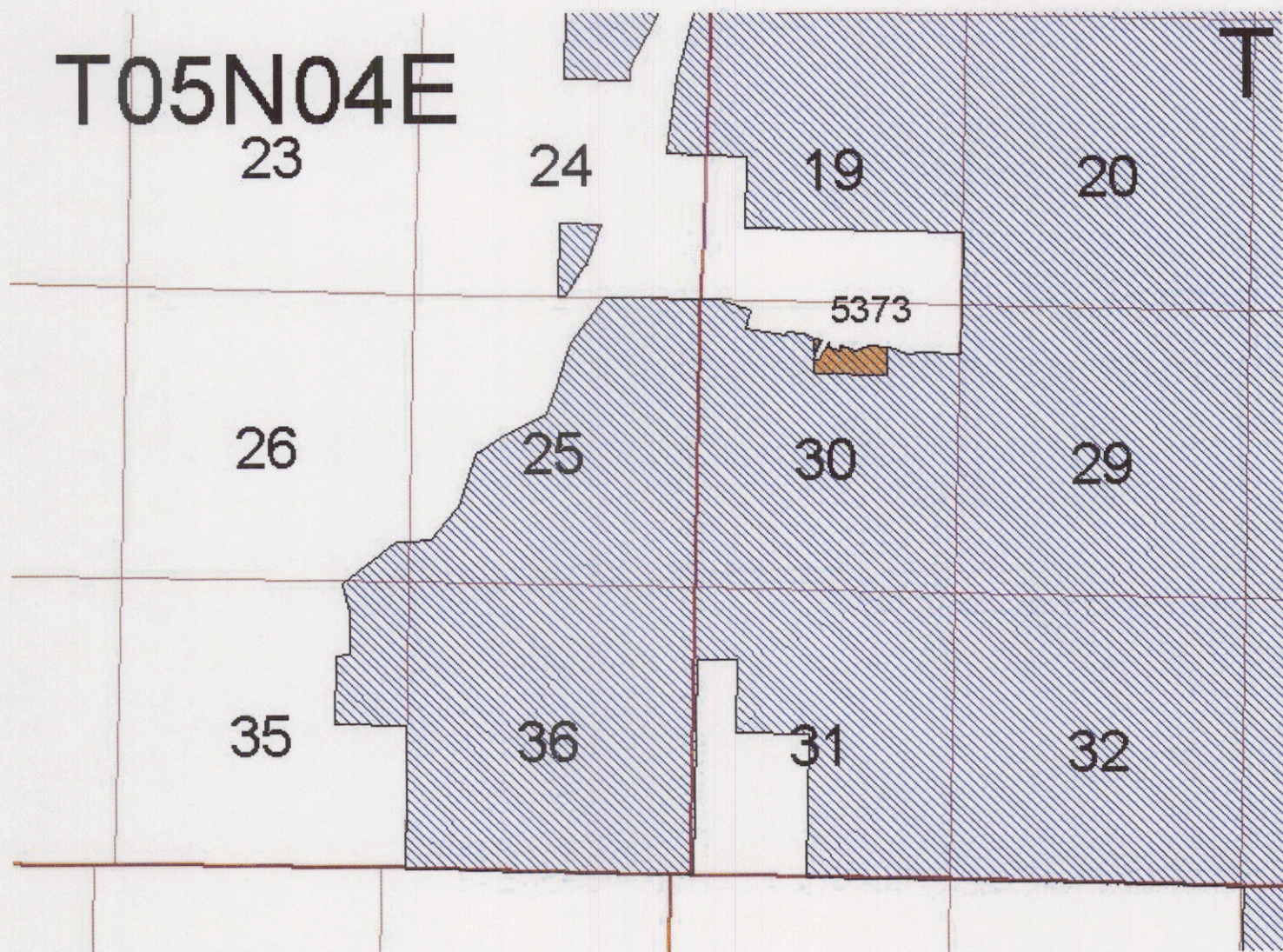


Signature of Objector or attorney
Mailing on Objector's behalf

ATTACHMENT I

**BASIN 63, PART 1
PLACE OF USE
63-05373**

Basin 63, Part 1
Place of Use
63-5373



-  State Endow. Land
-  Township
-  Section
-  Adminbas.shp
-  63-5373

ATTACHMENT II

WARRANTY DEED

STATE OF IDAHO
ACQUIRED LANDS

State Acquisition
Identification No. 332

Inst # 176928

ACQ #332

WARRANTY DEED

Warranty deed made this 10th day of April, 2000, between C-M L.L.C., whose mailing address is 25 Adams Ranch Road, Boise, Idaho 83706, referred to as "Grantor", and STATE OF IDAHO, DEPARTMENT OF LANDS, whose mailing address is 954 West Jefferson St., P.O. Box 63720, Boise, Idaho 83720-0050, acting by and through the State Board of Land Commissioners, referred to as "Grantee".

Grantor, in consideration for the exchange of other land by conveyance from Grantee and other good and valuable consideration, the receipt whereof is hereby acknowledged does hereby grant, bargain, sell, convey, and confirm unto Grantee and its successors and assigns forever, all the following described real estate situated in Boise County, Idaho:

Township 5 North Range 5 East B.M.

Acres

Section 3D: Lots 1 and 2 and those portions of NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying south of Thorn Creek Road excepting however, those parcels of real property described in Instrument No's. 140827, 161416 and 172722, recorded at Boise County, Idaho, and the Thorn Creek County Road #377

TOTAL ACRES:

96.00

TO HAVE AND TO HOLD All and singular the above mentioned and described premises, together with the appurtenances, unto the said Grantee, and to its successors and assigns forever, subject to the following:

Rights of way thereon reserved to the United States for ditches and canals constructed by authority of the United States.

The said Grantor WARRANTS to the Grantee that it is lawfully seized of the above described real property in fee simple, that the same is free and clear of any and all encumbrances of every kind and description, except as herein specified, and that the Grantor has lawful right to convey the said property.

EXECUTED this 10th day of April, 2000.

C-M L.L.C.

By: Sally Marcus, managing member

By: Harmon Chapman

File Reference: Marcus- Chapman Land Exchange- Warranty Deed dated April 10, 2000 conveyed 96.00 acres in Boise County to the State of Idaho. The Exchange was completed on May 12, 2000. This exchange also included an easement exchange. See Acquired Easement No. 319 and Easement No. 6167.

Warranty Deed
C-M L.L.C.
to State of Idaho
Page 2 of 2

176928

INST# 176928
REQUEST State Dept of Lands
DO MAY 12 AM 8:25
JOINT COUNTY RECORDER
BY C. J. JOHNSON
TYPE 31 FEE \$11.00

State of)
(ss.
County of)

On this 10 day of April, 2000, before me, a Notary Public in and for said state, personally appeared DAVID L. JOHNSON, CHAIRMAN, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.



(www.idnotary.com not 03060)

Liberty S. Leeds
Notary Public for Idaho
Residing at BOISE ID
My Commission expires 8/4/2004