

RECEIVED

MAR 31 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 35-13305

(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:

Brenda Stolworthy

Address:

1320 N. 375 E.

Shelley, Idaho, 83274

Daytime Phone: 208-357-7085

Name & Address of Attorney, if any:

N/A

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

Name:

Brenda Stolworthy

Address:

1320 N. 375 E.

Shelley, Idaho, 83274

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: 1320 N. 375 E., Shelley, ID, 83274
2. ☐ Source
Should be: _____
3. ☐ Quantity
Should be: _____
4. ☒ Priority Date
Should be: Sept. 08, 1960
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): See attachment

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 March 27th, ²⁰⁰³~~199~~, 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: _____

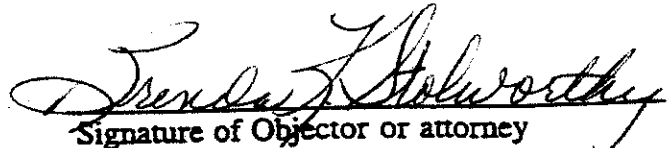
Address: _____

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

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of Bingham)

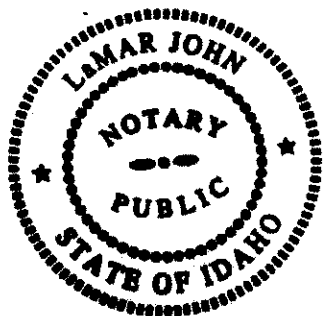
Shonda Stelworthy, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Shonda Stelworthy
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 26, 2003



Lamar John
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
My Commission Expires: 5-18-2007

Brenda Stolworthy
1320 North 375 East
Shelley Idaho, 83274

Clerk of District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

March 17, 2003

Re: appeal of water right 35-13305

To Whom it may concern:

E. REASONS SUPPORTING OBJECTION(S):

We have a copy of the well log which shows when the well was started and completed September 8, 1960.

Have aerial. Photos from 1966 showing original flood irrigated acres. I'm in the process of obtaining photos as close to 1960 as possible, from the USDA FSA Aerial photography office in Salt Lake City.

Have copies of service contracts with UPLC for the two pump stations #2 and #3 dated August 16, 1961.

Electrical service agreement with UPLC for a potato cellar dated July 20, 1961. This shows that farming operations were taking place.

Have 1974 invoice of trade in values of the 350 HP pump, 30 HP and 10 HP lift pumps from pump stations #2 and #3.

IDWR document which shows the changes in points of diversion from the original well. This is dated and stamped Jan 31, 1975 when the flood irrigation was converted to pivots.

Federal Land bank document No 159727-6 dated May 9, 1975 shows well information on well #1. Includes drilled date 1960, depth 365, Hp of motor 350, serial numbers for bowles and head, discharge, and GPM.

Federal Land Bank document No 159727-6 dated May 9, 1975 has a partial release of irrigation equipment from a loan for Lloyd Stolworthy. This shows that the 350 HP motor and Johnston turbine were in place when the change in point of diversions were applied for and pivots installed.

Currently having Lucille Stolworthy make a statement in regards to when the well was drilled.

Jay Horkley is creating a statement in regards to the time he spent in the early 60's working on the original flood irrigated farm.

Johnston Company in 2001 was able to find the original pump invoice in it's California archives. I was unable to obtain a copy of this invoice due to the documents fragile condition. I will try to get a statement from the company telling us what is on the document.

Currently Dale Peterson from Golden West Irrigation is working to determine the capacity of the original well. He will use the information from the well log to determine the CFS needed to irrigate determined acreage.