

RECEIVED
JAN 06 2005
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 45-4273 VI
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: DOUGLAS CRANNEY - Oakley Valley Water Co.
Address: 1252 S. Hwy 27
Oakley, Idaho 83346
Daytime Phone: 208-300-3472

Name & Address of Attorney, if any:

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

Name: Oakley Valley Water Company
Address: P.O. Box 201
Oakley, Idaho 83346

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: 60 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): OAKLEY VALLEY WATER CO. APPLIED FOR AND WAS GRANTED A TRANSFER IN 1988. THIS WATER SOURCE HAS BEEN UTILIZED BY OAKLEY VALLEY WATER CO. SINCE THAT DATE. TWO DEEP WELLS HAD BEEN ACQUIRED BY THE COMPANY IN ORDER TO MEET THE DOMESTIC NEEDS OF THE WATER USERS SERVED BY OAKLEY VALLEY WATER COMPANY BOTH PRESENTLY AND IN THE FUTURE. THIS HAS A 1954 PRIORITY DATE AND WE FELT LIKE IT WAS SECURE.

F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Cassia)

Douglas Cranney, 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.

Douglas Cranney - Oakley Valley Water Co.
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 5th 2005

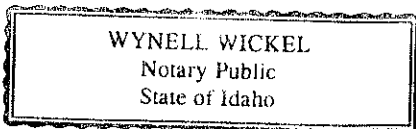
Wynell Wickel

Notary Public for Idaho

Residing at: Malta, Id 83342

My Commission Expires:

MY COMMISSION EXPIRES
February 23, 2007
NOTARY PUBLIC UNDERWRITERS



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 5TH 2005, 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: OAKLEY VALLEY WATER COMPANY
Address: P.O. BOX 201
OAKLEY, IDAHO 83346

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

Douglas Cranney
Signature of Objector or attorney
mailing on Objector's behalf

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Adjudication Recommendation Report 45-4273 V1

WATER RIGHT NUMBER: 45-4273 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	OAKLEY VALLEY WATER CO PO BOX 201 OAKLEY, ID 83346 (208)862-3346
Attorney	ARKOOSH LAW OFFICES PO BOX 32 GOODING, ID 83330 (208)934-8872
Original Owner	MARION PIPELINE CO C/O DOUGLAS CRANNEY RT 1 BOX 40-B OAKLEY, ID 83346 (208)862-3472

Priority Date: 02/12/1954

Basis: Beneficial Use

Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.450 CFS	
	Total Diversion:	0.450 CFS	

Location of Point(s) of Diversion

GROUND WATER CASSIA County	SW1/4SW1/4SW1/4	Sec. 20, Twp 13S, Rge 22E, B.M.
GROUND WATER CASSIA County	SW1/4SW1/4SW1/4	Sec. 21, Twp 13S, Rge 22E, B.M.

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	21E	24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
12S	21E	25	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
12S	21E	36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
12S	22E	19	X	X	X	X	X	L1	L2	X	X	L3	L4	X	X	X	X		

IDAHO DEPARTMENT OF WATER RESOURCES

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IDAHO DEPARTMENT OF WATER RESOURCES

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13S 22E 14	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 15	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 18	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 19	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 20	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 21	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 22	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 26	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 28	X	X	X	X	X	X	X	X									
13S 22E 29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 30	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 31	X	X	X	X	X	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X	X	X	X	X
13S 22E 32					X	X	X	X	X	X	X	X					
13S 22E 34	X																
13S 22E 35	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
13S 22E 36										X							
14S 21E 1	X _{L1}	X _{L2}	X	X	X _{L3}	X _{L4}	X	X		X							

IDAHO DEPARTMENT OF WATER RESOURCES

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14S 22E 1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L 1	L 2			L 3	L 4											
14S 22E 2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	L 1	L 2			L 3	L 4											
14S 22E 6					X	X											
					L 3	L 4											
14S 22E 11	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
14S 22E 12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
14S 22E 14	X	X	X	X	X	X	X	X									

Conditions of Approval:

1. 129 Place of use is within the area served by Oakley Valley Water Company.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. jroberts 5/6/2004 Basis of Recommendation

Comment: Priority date changed to 2/12/1954, as submitted E/P supports, diversion rate reduced to 0.45 cfs per Guidelines from Field Exam Manual for 104 homes (since there is no definitive information on the wells capacity in 1954), removed irrigation as a use because up to .5 acre is allowed per home for the 104 homes in the system under domestic use. There are two licenses on springs (45-2186 & 45-2187) for 1 cfs each in this same system, will limit all three when combined to 1 cfs. [Ted Booth, an attorney representing these claimants said that the Marion Pipeline Company and the North Oakley Water Company have merged and are now known as the Oakley Valley Water Company. No ownership change has yet been received but a transfer will be needed to combine their systems and probably change the use to Municipal.]

2. jroberts 7/9/2004 New Recommendation

Comment: Claim was amended to Municipal use so will recommend as such in a large PoU. Other changed elements will remain the same, but without the combined limit remark for diversion rate.