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FEB - 3 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

A: Subcase 25-14160
(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: Don E BROWN
Address: 280 N 4570 E
RIGBY, Idaho 83442
Daytime Phone: 538-6835

Name & Address of Attorney, if any:

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

Name: Don E BROWN
Address: 280 N 4570 E
RIGBY, Idaho 83442

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: AS CLAIMED
2. ☒ Source
Should be: AS CLAIMED
3. ☒ Quantity
Should be: AS CLAIMED
4. ☒ Priority Date
Should be: AS CLAIMED
5. ☒ Point(s) of Diversion
Should be: AS CLAIMED
6. ☒ Instream Flow Description
Should be: AS CLAIMED
7. ☒ Purpose(s) of Use
Should be: AS CLAIMED PLUS STOCK WATER
8. ☐ Period of Year
Should be: AS CLAIMED
9. ☒ Place of Use
Should be: AS CLAIMED

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): I WASN'T ABLE

TO GET EVIDENCE UNTIL RECENTLY
BE OF SON WHO WASTE EVIDENCE
LETTER WAS IN A ACCIDENT.

F: VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

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

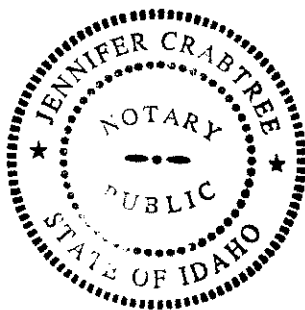
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

John E. Brown
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 1 Feb 2005

Jennifer Crabtree
Notary Public for State of Idaho
Residing at: Idaho Falls
My Commission Expires: 9/23/09



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 Feb 1, 1995, 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: _____

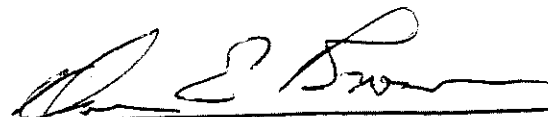
Address: _____

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

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, DEPARTMENT OF
IN AND FOR THE COUNTY OF TWIN FALLS WATER RESOURCES

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 25-14160
Date Received: 12/20/2004
Receipt No: E030 480
Received By: Rm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DON E BROWN Phone: (208) 538-6835
280 N 4570 E
RIBGY ID USA 83442

2. Date of Priority: 06/01/1960

3. Source: POND Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	40E	17	NE SW 2	JEFFERSON	

5. Description of diverting works:

Pond with pump diverted to sprinklers and concrete ditches

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	4.15	

7. Total Quantity Appropriated is:
4.15 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	40E	17	NW NW	IRRIGATION	7
			SW NW	IRRIGATION	14
			NE SW	IRRIGATION	11
			NW SW	IRRIGATION	28

			SW	SW	IRRIGATION	38
			SE	SW	IRRIGATION	38
					Section Acres	136
04N	40E	18	SE	SE	IRRIGATION	2
					Section Acres	2
04N	40E	20	NE	NW	IRRIGATION	36
			NW	NW	IRRIGATION	36
					Section Acres	72
					Total Acres	210

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *DER* Date: 12-20-04

_____ Date: _____

State of Idaho)
County of Bonneville) SS.

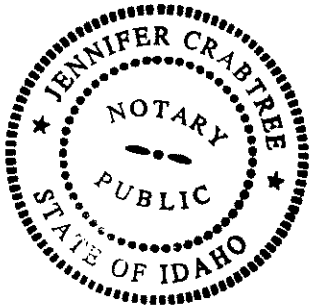
Subscribed and sworn (or affirmed) before me this 20th
of Dec 2004

Jennifer Crabtree

Notary Public

Residing at Idaho Falls Id

My commission Expires 9/28/09



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DEPARTMENT OF
WATER RESOURCES

Jan. 26, 2005

To whom it may concern,

My name is David Brown. I am a grandson of Earl Brown. I was born in Rigby, Idaho November 21, 1960 to Don and Luaina Brown. At the time of my birth my parents resided at the Farm House on my grandfather's farm. My father worked on the farm and attended Rick's College.

While my father eventually graduated from his studies at Rick's College and accepted employment with the Federal Government out of the State of Idaho. It was not an unusual practice for me and my older brother Brad to spend the summers and Christmas vacation at my Grandparent's in Idaho. As a point in Fact, do to the unusual Job requirements of my Father's employment with the Federal Government my brother and I lived with my Grandparent's from 1972 to 1973 while my father completed certification in Oklahoma on a new series of equipment the government was installing at his work site.

I attended Ririe High School as a 7th grader of 12 years of age. My older brother Brad was a 9th grader. He also attended Ririe High School. At the time Grades 7-12 attended the same school. This, though unusual somewhat; did not strike me nor my brother as unusual, because we had spent every summer and Christmas vacation on the farm since we were just little kids. We knew many of the local neighbors's including the Marshall's and the Hardy's. Going to School In Idaho and being part of the farm in Idaho was a normal part of growing up to us.

My Grandfather was a very busy man accustomed to hard work. The tractor work and farm kept him very busy. As a young child of 8-9, I remember him coming home early in a rather anxious mood. He asked where my brother was and I told him he had walked out to the farm. He said he was going in to town and wanted me to come, but that he was in a hurry and I would need to come now.

While I can't remember the name of the building my grandfather went to. I distinctly remember him telling me that he needed to go there to get money so he could acquire sprinkling pipe. That there was a program that would help him get sprinkler pipe for the farm. I asked him where he needed them

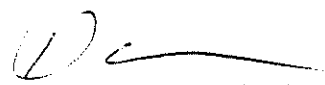
since he had cement culverts all over his farm. He told me he could better sprinkle his fields including some he had not been able to before. This at the time made sense to me, since my grandfather had been taking me and my brother the past couple of summers to help him out on the farm. Admittedly, I was not much help on the farm with some of the tasks like digging holes for fence posts, but it gave me a chance to listen to my grandfather's hopes and dreams. His intent to sprinkle the farm area south and east of the canal were plenty obvious to me. That's was one of the big reasons he got the sprinkling pipe.

My grandfather started sprinkling those parts of the farm after receiving the pipe. He said he wanted to get more pasture out there for the cows, and to raise grain and alfalfa if he wanted. While, I was just a kid of 8-9 years old I was plenty familiar with the farm and a lot of went on.

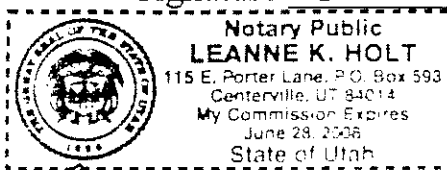
The hired men would come every morning to my grandparent's house for work instructions. My grandfather would tell them what he wanted them to do that day. Most of the work meetings took place in the kitchen of his house. As a kid I heard the work instructions my grandfather gave to numerous men in the kitchen.

Men like Ira Drake who is long since dead would be very familiar with what my grandfather did out on the farm. He would come most mornings to my grandfathers home in the summer to get his work instructions for the day. His full time job was to keep the fields watered, the pumps fueled, and the cattle fed. He was a colorful enough character that listening to the interchange between him and my grandfather proved to be pretty interesting every day. A childhood highlight you might say. I kept thinking my grandfather was going to fire him, but somehow he always managed to get the farm work done.

Ira, who was drunk as a skunk by the days end somehow always managed to get the farm work done. The fields were always watered. I should know since my grandfather would take me and my brother Brad out to the farm to see if Ira had watered them. Somehow he always got the job done.

Signature: 

January 26, 2005



*State of Utah
County of Davis
Subscribed and sworn before me this 27th day
of January, 2005 by David Earl Brown*