

MAY 06 2005

DEPARTMENT OF
WATER RESOURCESIN 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 A85-11103

(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: Dallas R. HowardAddress: 6475 Goldfinch Ln. (formerly 1425 21st St.)Lewiston, ID 83501Daytime Phone: 208/746-2374Name & Address of Attorney, if any:
James W. GivensP.O. Box 875Lewiston, ID 83501

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

Name: Walter, MadelineAddress: 6475 Goldfinch Ln. (formerly 2015 Lindsay Creek Rd.
Lewiston, ID 83501 P.O. Box 934)

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: Dallas R. Howard, 6475 Goldfinch Ln,
Lewiston, ID 83501
2. ☒ **Source**
Should be: See Exhibits A, B, C & D attached.
3. ☒ **Quantity**
Should be: See Exhibit C attached.
4. ☒ **Priority Date**
Should be: January 1, 1930
5. ☒ **Point of Diversion**
Should be: See Exhibits A, B, C & D attached.
6. ☒ **Instream Flow Beginning and Ending Point**
Should be: See Par. 5, p. 1, Notice of Claim, bearing
filing date of 3/16/89, See Exhibit E attached.
7. ☒ **Purpose(s) of Use**
Should be: Domestic, livestock, irrigation
8. ☒ **Period of Year**
Should be: 12 months of year
9. ☒ **Place of Use**
Should be: See Par. 5, p.1, Notice of Claim, filed 3/16/89
See Exhibit E attached.
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 OBJECTIONS(S):** Claimant was never afforded an
opportunity to show the Lewiston representative of Idaho Department of Water
Resources the points of diversion and beneficial use to which said
appropriation of water had been applied.

ship	go	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4
135 N	R5 W	4															
SPGS. TR. TO LINDSEY																	
TR. TO CM. PROPER	10																
TR. TO UNNAMED																	
RA. TR. TO LINDSEY CK	14																
35 N	R5 W																
UNNAMED TREAS.																	
TO LINDSEY CK																	
IN STR. #1 BEGIN P.D.	4																
NN STR. #1 END P.D.	11																
N. STR. #2 BEGIN P.D.	9																
" " END P.D.	4																
STR. #3 BEGIN P.D.	10																
" " END P.D.	9																
STR. #4 BEGIN P.D.	10																
" " END P.D.	10																
STR. #5 BEGIN P.D.	13																
" " END P.D.	11																
5 N	R5 W	12															
13AY CK. BEGIN P.D.																	
6 N	R5 W	32															
13AY CK. END P.D.																	

EXHIBIT A

APR 20 1933

. equals 1 mile

[illegible]

EXHIBIT D

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

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

CIVIL CASE NUMBER: 39356

Ident. Number

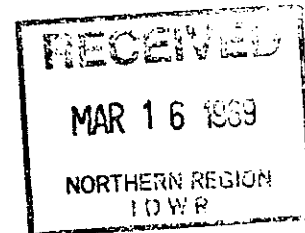
A85-11103

Date Received

Receipt Number

N 2588

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Please type or print clearly

1. Name of Claimant (s) WALTER, MADELINE Phone (208) 743-8210
Mailing Address 2015 LINDSAY CREEK ROAD, LEWISTON, ID Zip 83501
2. Date of Priority (Only one (1) per claim) JAN. 1, 1930
3. Source of water supply (a) 8 SPRINGS TR. TO LINDSAY CK. UNNAMED STRMS TR TO LINDSAY CREEK,
which is tributary to (b) LINDSAY CREEK TR. TO CLEARWATER RIVER.
4. a. Location of existing point of diversion is: Township 35N Range 5W Section 12
(LINDSAY CK. PROPER)
NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot, B.M., County of NEZ PERCE
Additional points of diversion if any: NW SE SE SEC 32, T36N, R5W (SEE ATTACHED SHTS. FOR AD'D)
(LINDSAY CK. PROPER)
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. IN-STREAM STOCK W UP TO 200 HEAD MIXED
STOCK, PUMP IN LINDSAY CREEK PROPER FOR IRRIGATION OF 2 ACRES, ALL SPRINGS DEVELOPED
WITH SPRING BOXES TANKS OR CISTERNS, SPRINGS USED FOR DOMESTICS WITH
PIPELINES TO HOUSES, IRRIGATION FOR 6 ACRES IN SECT. 4, T35N, R5W FROM
SPRINGS & CISTERNS SYSTEM IS FOR EXTERIOR DOMESTIC LAWN & GARDEN IRRIGATION.

APR 26 1969

EXHIBIT E

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Nez Perce)

Dallas R. Howard, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

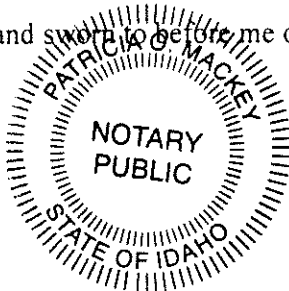
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)
Dallas R. Howard

(Attorney signing in representative capacity)
James W. Givens

Subscribed and sworn to before me on:

April, 2005



(Signature of Notary Public)
Notary Public for state of Idaho
Residing at: Lewiston, ID
My Commission Expires: 2/10/09

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 May 4, 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:

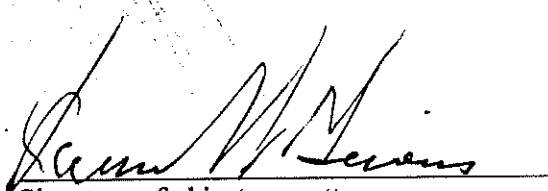
Name: Dallas R. Howard
Address: 6475 Goldfinch Lane
Lewiston, ID 83501

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Signature of objector or attorney
mailing on Objector's behalf