



35-00308

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NOV 21 2001

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

RECEIVED

NOV 28 2001

Department of Water Resources
Eastern Region

In Re SRBA

Case No. 39576

A. Subcase 35-02315 and each Subcase
listed in Exhibit "A"

(Insert the Subcase number from the
Objection to which you are responding)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name & Address of Attorney if any

Attorney Name: ALAN G. LANCE
Attorney General
David J. Barber
Deputy Attorney General
Natural Resources Division
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: Aberdeen-Springfield Canal Company

Address: P.O. Box 857

Aberdeen, Idaho 83210

D. I am responding to the objections to the following elements. (Please check the appropriate box(es))

1. ☐ **Name and Address**

2. ☒ **Source**

3. ☐ **Quantity**

4. ☒ **Priority Date**

5. ☐ **Points of Diversion**

6. ☐ **Instream Flow**

7. ☐ **Purpose(s) of Use**

8. ☐ **Period of Year**

9. ☐ **Place of Use**

10. ☒ **Other Matters**

11. Recommendation

☐ This water right should not exist

☐ This water right was not recommended, but should be recommended with the elements described above.

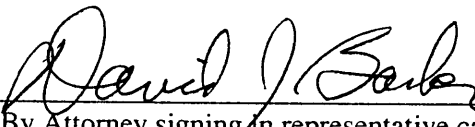
VERIFICATION (Must be Completed)

STATE OF IDAHO)
)ss.
County of Ada)

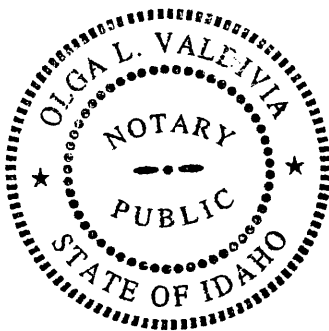
David J. Barber, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

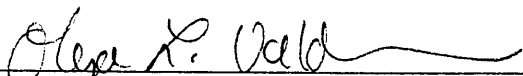
That the State of Idaho in both its sovereign and proprietary capacity is filing this response and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

ALAN G. LANCE
Attorney General
David J. Barber
Deputy Attorney General
Natural Resources Division


By Attorney signing in representative capacity

Subscribed and sworn to before me on: Nov. 21, 2001
(Insert Date)




Notary Public for Idaho
Residing at: BOISE, ID
My commission expires: 2-8-06

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on November 21 2001, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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

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

James T. Lehman
C/O Josephine P. Beeman
409 West Jefferson Street
Boise, Idaho 83702

3. Copies to:

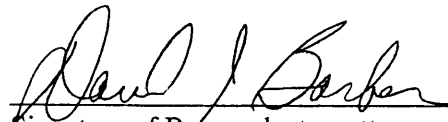
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Aberdeen-Springfield Canal
P.O. Box 857
Aberdeen, Idaho 83210

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

John K. Simpson
Barker, Rosholt & Simpson
P.O. Box 2139
Boise, Idaho 83701-2139

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



Signature of Respondent or attorney
mailing on Respondent's behalf

EXHIBIT "A"
LIST OF SUBCASES IN WHICH THE FOREGOING OBJECTION IS FILED

35-000887	Thayne Driscoll 3140 Willow Street American Falls, ID 83211-5520	35-02172	Bowler Ranches Inc P. O. Box 760 American Falls, ID 83211
<i>Vicki</i> 35-02049	Lehman Farms 2853 W 2000 S Aberdeen, ID 83210	35-02226	Leota Judge 688 S 1800 W Pingree, ID 83262
35-02066A	H. Alan Funk 2065 S 2800 W Aberdeen, ID 83210	35-02236	Judith Dvorak 1876 S 2900 W Aberdeen, ID 83210
35-02066B	H. Alan Funk; See 35-02066A	35-02271	Sherman L. Ruff 3005 W 2100 S Aberdeen, ID 83210
<i>Vicki</i> 35-02072	Raymond Funk 2066 S 2950 W Aberdeen, ID 83210	35-02298	Everett K. Wood 2681 W 1100 S Aberdeen, ID 83210
<i>Vicki</i> 35-02073	Charles J. Shackelford P. O. Box 212 Aberdeen, ID 83210	35-02308A	Charles A. Rossi 482 S 1600 W Pingree, ID 83262
<i>Vicki</i> 35-02100	Arthur J. Jones 1697 W 700 S Pingree, ID 83262	35-02339	Paul T. Woods 771 S 1800 W Pingree, ID 83262
<i>Vicki</i> 35-02116	Behrend Farms 2807 W 1900 S Aberdeen, ID 83210	35-02347	Otto R. Klassen 281 W. Boise Street Aberdeen, ID 83210
<i>Vicki</i> 35-02127	Julia Wada Valentine 334 S 1300 W Pingree, ID 83262	35-02370	Lynn E. Hansen 2745 W 1800 S Aberdeen, ID 83210
<i>Vicki</i> 35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	35-02387A	Charles J. Shackelford; See 35-02073
<i>Vicki</i> 35-02167B 35-12805	Sylvia and Clarence Schroeder 2308 S Moser Road American Falls, ID 83211	35-02406	Line View Farms, Inc. 2269 W 800 S Aberdeen, ID 83210
<i>Vicki</i> 35-02167D	William R. Schroeder 2388 S Moser Rd American Falls, ID 83211	35-02470	Raymond and Betty Funk; See 35-02072
<i>Vicki</i> 35-02167E	Katherine Schroeder Estate P. O. Box 17 Aberdeen, ID 83210	35-02498	Juan Burusco 2514 W 1700 S Aberdeen, ID 83210
<i>Vicki</i> 35-02167F	Katherine Schroeder Estate; See 35-02167E	35-02504A	Isaac D. Pierce 2592 W 1300 S Sterling, ID 83210

<i>Vicki</i> 35-02525	Earl H. Barclay 1096 S. 2500 W. Aberdeen, ID 83210	35-04183	Don Kramer 1003 Falls Ave. American Falls, ID 83211
<i>Vicki</i> 35-02647A	Val F. Wahlan P. O. Box 442 Aberdeen, ID 83210	35-04221	University of Idaho Regents P. O. Box AA Aberdeen, ID 83210
<i>10-4-99</i> <i>Depose</i> 35-02670B	Steven Murdock 1050 W Hwy. 39 Blackfoot, ID 83221	35-07012B	Larry E. Watt 462 S 1200 W Pingree, ID 83262
<i>Depose</i> 35-02670C	Steven/Ronald Murdock; See 35-02670B 1065 W 125 N Blackfoot, ID 83221	35-07022	LDS Real Est Div Twelfth Floor 50 East North Temple Street Salt Lake City, UT 84150
<i>Complete</i> 35-02670D	Dale C. Murdock 1048 W Hwy 39 Blackfoot, ID 83221	35-07061	Otto R. Klassen; See 35-02347
<i>Vicki</i> 35-02712	Paul W. Behrend 2706 W 1800 S Aberdeen, ID 83210	35-07102	O. E. Feld 1470 S 2750 W Aberdeen, ID 83210
<i>Vicki</i> 35-02824	Frank & Shirley Droghei Living Trust 467 S 1600 W Pingree, ID 83262	35-07145	Clarence Schroeder; See 35-02167B
<i>Vicki</i> 35-02917A	Neil J. Poulson 2849 N. Pleasant Valley Rd. American Falls, ID 83211	35-07146	Herbert A. Bohrer P. O. Box 82 Springfield, ID 83277
<i>Vicki</i> 35-02917B	Neil Poulson; See 35-02917A	35-07164A	John R. Duffin 1436 S 2750 W Aberdeen, ID 83210
<i>Vicki</i> 35-04032	Layne J. Harker 1733 W 600 S Pingree, ID 83262	35-07191	Albert J. Horsch 2711 W 1900 S Aberdeen, ID 83210
<i>Vicki</i> 35-04034A	Bill Funk; See 35-02154	35-07231	LDS Real Est Div; See 35-07022
<i>Vicki</i> 35-04034B	Bill Funk; See 35-02154	35-07267A	David Bethke 3149 W Rast Road American Falls, ID 83211
<i>Vicki</i> 35-04039	Val F. Wahlan; See 35-02647A	35-07267B	David Bethke; See 35-07267A
<i>Vicki</i> 35-04093	Bowler Ranches Inc; See 35-02172	35-07286	Ted T. Edwards P. O. Box 104 Spencer, ID 83446
<i>Vicki</i> 35-04095	Juan Burusco; See 35-02498	*35-07353	Raymond K. Duffin 3182 W 2000 S Aberdeen, ID 83210
<i>Vicki</i> 35-04113	Marjorie Sainz Ltd. Partnership P. O. Box 127 Springfield, ID 83277	35-07393	Kenneth Horsch 1990 S 2600 W Aberdeen, ID 83210
<i>Vicki</i> 35-04164	George Vollmer 3003 Vollmer Loop American Falls, ID 83211		

35-07422	David P. Dance 471 S 1200 W Pingree, ID 83262	35-07722	DeGiulio Ranch Inc. 2340 W 900 S Sterling, ID 83210
35-07450	H. Homer Anderson 2632 S 1470 W St. George, UT 84770	35-07728	John R. Duffin; See 35-07164A
35-07453A	George R. Jackson 1762 W 800 S Pingree, ID 83262	35-07729	John R. Duffin; See 35-07164A
35-07453B	George Jackson; See 35-07453A	35-07732	Todd Feld P. O. Box B Aberdeen, ID 83210
35-07494	Leonard E. Phillips 1522 S 2600 W Aberdeen, ID 83210	35-07737	Sherman N. Smith; See 35-07507
35-07507	Sherman N. Smith 2321 W 1400 S Sterling, ID 83279	35-07756	Juan Burusco; See 35-02498
35-07519	Stroschein Ranches Inc. 1464 Alpowa Ave. Moscow, ID 83843	35-07760	Raymond Funk; See 35-02072
35-07530	Dwight W. Horsch 1911 S 2700 W Aberdeen, ID 83210	35-07762	Bill Funk; See 35-02154
35-07592	George Jackson; See 35-07453	35-07790	Marjorie Sainz Ltd. Partnership; See 35-04113
35-07599	Larry E. Watt; See 35-07012B	35-07820	Thayne Driscoll; See 35-00038F
35-07618	Juan A. Irigoyen 1751 S 2600 W Aberdeen, ID 83210	*35-07865	Diane J. Deeg 2957 Deeg Road American Falls, ID 83211
35-07621	Juan Irigoyen; See 35-07618	35-07890	Knudsen Poor Farms Inc. 2700 W 2100 S Aberdeen, ID 83210
35-07627	Robert E. Mann 2556 W 1400 S Aberdeen, ID 83210	35-07894	H. Alan Funk; See 35-02066A
35-07643A	University of Idaho; See 35-04221	35-07903A	LDS Real Est Div; See 35-07022
35-07647	Bill Funk; See 35-02154	35-07903B	Albert Babneau 384 S 1200 W Pingree, ID 83262
35-07680	David L. Wahlen 2481 W 1000 S Sterling, ID 83210	35-07945	Jack Poulson 2700 W Hwy. 39 Aberdeen, ID 83210
35-07696	Charles J. Shackelford; See 35-02073	35-07948	Scott E. Poulson 2831 W 1500 S Aberdeen, ID 83210
35-07721	Theron T. Edwards; See 35-07286	35-07957	David P. Dance; See 35-07422
		35-08054	Ronald W. Stroschein 1292 S 2600 W Aberdeen, ID 83210

victim 35-08602 Gary Judge
692 S 1800 W
Pingree, ID 83626

no record 35-08805 Judith Dvorak; See 35-02236

no record 35-08878 Dorothy Corbridge
265 Van Buren
American Falls, ID 83211

35-08952 Regina Line
489 E Central
Box 579
Aberdeen, ID 83210

victim 35-10318 Ralph Klassen Farms Partnership
2837 W 1700 S
Aberdeen, ID 83210

victim 35-10653 Paul T. Woods; See 35-02339

victim 35-10843 Lehman Farms; See 35-02049

co-ops *35-10859 James T. Lehman
2912 W 2000 S
Aberdeen, ID 83210

co-ops *35-10860 Karen/James Lehman; See 35-10859

victim 35-12088 O. E. Feld; See 35-07102

victim 35-12248 Earl H. Barclay; See 35-02525

victim 35-13018 Julia Valentine; See 35-02127

victim 35-13073 Harold E. Isaak
2854 W 1800 S
Aberdeen, ID 83210

victim 35-13264 Charles O. Klassen
1948 S 2900 W
Aberdeen, ID 83210

*Represented by attorney Josephine P. Beeman

A35-00038F

A35-00038F

THAYNE DRISCOLL

1118 S 2600 W

ABERDEEN ID 83210

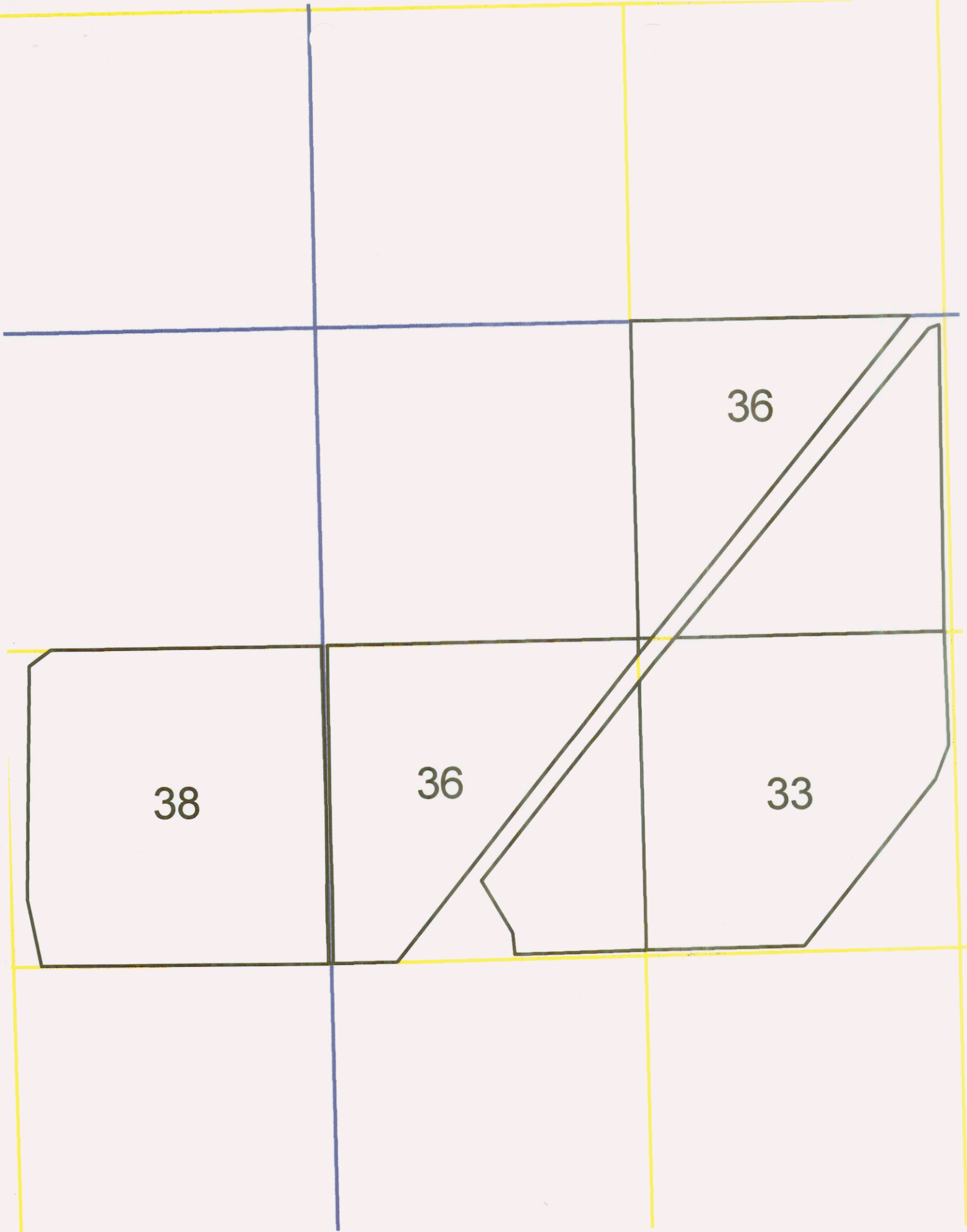
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Pod for Davison Crt

how do they set it to
the property

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1677



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)
) NOTICE OF COMPLETED
Case No. 39576) ADMINISTRATIVE PROCEEDINGS
)
) Water Rights 35-00038F and 35-07820
)
_____)

IDWR has completed the following Administrative Proceeding:

☒ Change of Address
☐ Substitution of Party
☐ I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: ANDRA DRISCOLL
New Address: 3140 WILLOW ST
AMERICAN FALLS ID 83211-5520
Phone: (208) 226-2414

Claimant's Water Rights: 35-00038F and 35-07820

The Claimant has filed Objections or Responses to the following water
rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
2/24/1999

35-00038F AND 35-07820

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 2/24/99

Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
2/24/1999

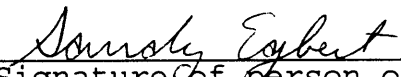
35-00038F AND 35-07820

CERTIFICATE OF MAILING

I certify that on 3-30-99 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

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
2. One Copy to:
Each party in the subcase, or attorney of record:

ANDRA DRISCOLL
THAYNE DRISCOLL
3140 WILLOW ST
AMERICAN FALLS ID 83211-5520
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

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FEB 19 1999

Department of Water Resources

February 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ANDRA & THAYNE DRISCOLL
3140 WILLOW ST
AMERICAN FALLS ID 83211-5520

Records Modified, NCAR prepared

RE: Snake River Basin Adjudication (SRBA)
Water Rights #35-00038F & 35-07820

no 2-23-99

Water Right # 35-07820 - Transfer # 4189

Dear Water Right Holders: *40 Shares Aberdeen Springfield Canal Co. No. 4893*
35-10825

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and **return** this letter by **February 19, 1999**. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Thayne Driscoll
Claimant Signature

208-224-2414
Telephone No.

NOV 07 2001

Department of Water Resources
Eastern Region

RECEIVED

OCT 31 2001

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 No. 35-02315 and each subcase listed in Exhibit "A" attached hereto and made a part hereof

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Aberdeen-Springfield Canal Company

Address: P. O. Box 857
Aberdeen, Idaho 83210

Daytime Phone (208) 397-4193

Name & Address of Attorney, if any:
 ROGER D. LING
 LING & ROBINSON
 615 H Street, P. O. Box 396
 Rupert, Idaho 83350

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

Name: James T. Lehman

Address: 2912 W 2000 S
Aberdeen, Idaho 83210

SEE ADDITIONAL NAMES AND ADDRESSES SHOWN IN EXHIBIT "A" ATTACHED
HERETO

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: Add: also water resulting from irrigation under irrigation works of Aberdeen-Springfield Canal Company and being recovered for the use on lands to which shares of Aberdeen-Springfield Canal Company are appurtenant.
3. ☐ **Quantity**
Should be: _____
4. ☒ **Priority Date**
Should be: Add: an explanatory note that the priority date applies only to ground water diverted for use on lands for which recaptured project water is not available.
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. ☒ **Other Matters**
Should be: Add: Water diverted from this point of diversion is also ground water resulting from irrigation under the irrigation works of Aberdeen-Springfield Canal Company and is recovered by Aberdeen-Springfield Canal Company through claimant for further use on lands to which claimant's shares of Aberdeen-Springfield Canal Company are appurtenant. This recaptured project water shall be administered separately from all other water rights in Basin 35 in the Snake River Basin. As to the diversion of ground water under this right that is not recaptured project water, the other matters set forth in the Recommendation are appropriate.
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 "A"

VERIFICATION (Must be Completed)

State of Idaho)

)

County of Minidoka)

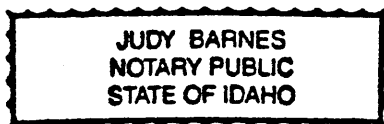
Roger D. Ling, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Roger D. Ling
Attorney signing in representative capacity

Subscribed and sworn to before me on: October 30, 2001



Judy Barnes
Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/12/2005

INSTRUCTION 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.

CERTIFICATE OF MAILING

I certify that on October 30, 2001, 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: James F. Lehman
Address: c/o Josephine P. Beeman
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, ID 83702

3. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

Claimants in subcases identified in Exhibit "A"
attached hereto and made a part hereof

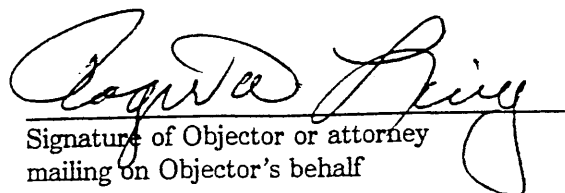
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Josephine P. Beeman, Esq.
Beeman and Associates, P.C.
409 West Jefferson Street
Boise, ID 83702
Attorney for claimants in Subcase Nos. 35-02315,
35-07353, 35-07865, 35-10859, and 35-10860

David Barber, Deputy Attorney Gen'l
Office of the Attorney General
Natural Resources Division
P. O. Box 83720
Boise, ID 83720-0010

John K. Simpson, Esq.
Barker, Rosholt & Simpson
P. O. Box 2139
Boise, ID 83701-2139

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734


Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT "A"

E. REASONS SUPPORTING OBJECTIONS

Source. The excavation and opening of this well and withdrawal of water therefrom by the claimant, a shareholder of Aberdeen-Springfield Canal Company, was made as the agent of Aberdeen-Springfield Canal Company, the owner of the irrigation works of this Carey Act project. The irrigation project operated by Aberdeen-Springfield Canal Company recaptures project water through wells to provide a supplemental diversion point for project water for the irrigation of the lands of shareholders of Aberdeen-Springfield Canal Company, for the further purpose of improving and preserving the utility of lands by draining them and for the withdrawal of water for the purpose of recovering ground water resulting from irrigation under the irrigation works of Aberdeen-Springfield Canal Company. There are therefore two sources of water, the ground water source under the license should be acknowledged, as well as the ground water resulting from irrigation by Aberdeen-Springfield Canal Company, which is separate and distinct from the water diverted under this water right, but it is diverted from this well and requires no water right. It is necessary to identify both sources to and in the administration of this water right. It will be recognized that the water diverted from this well is ground water to which claimant is entitled to divert under its water right and is also a diversion of ground water resulting from irrigation under the irrigation works of Aberdeen-Springfield Canal Company, for the benefit of claimant as a shareholder, for which no license is necessary.

Priority Date. As for the ground water being recovered under this well which resulted from irrigation under the irrigation works of Aberdeen-Springfield Canal Company, and is used on lands to which shares of Aberdeen-Springfield Canal Company are appurtenant, there is no priority date, as the recovery of water resulting from irrigation within the project is a part of the original water supply diverted by Aberdeen-Springfield Canal Company. This recovered project ground water is part of the project water of Aberdeen-Springfield Canal Company, and is owned by Aberdeen-Springfield Canal Company after it has been diverted under its surface water rights until it leaves the project.

Other Matters Necessary for Definition of Administration of this Water Right

Add the following: Water diverted from this point of diversion is also groundwater resulting from irrigation under the irrigation works of Aberdeen-Springfield Canal Company and is recovered by Aberdeen-Springfield Canal Company for further use on lands of claimant to which shares of Aberdeen-Springfield Canal Company are appurtenant. This recaptured project water shall be administered as a part of the water rights of Aberdeen-Springfield Canal Company by which water is diverted from the Snake River for use by its shareholders. As to this water right with a source being ground water and not recaptured project water, the other matters set forth in the recommendation are appropriate.

EXHIBIT "A"
LIST OF SUBCASES IN WHICH THE FOREGOING OBJECTION IS FILED

35-00038F	Thayne Driscoll 3140 Willow Street American Falls, ID 83211-5520	35-02172	Bowler Ranches Inc P. O. Box 760 American Falls, ID 83211
35-02049	Lehman Farms 2853 W 2000 S Aberdeen, ID 83210	35-02226	Leota Judge 688 S 1800 W Pingree, ID 83262
35-02066A	H. Alan Funk 2065 S 2800 W Aberdeen, ID 83210	35-02236	Judith Dvorak 1876 S 2900 W Aberdeen, ID 83210
35-02066B	H. Alan Funk; See 35-02066A	35-02271	Sherman L. Ruff 3005 W 2100 S Aberdeen, ID 83210
35-02072	Raymond Funk 2066 S 2950 W Aberdeen, ID 83210	35-02298	Everett K. Wood 2681 W 1100 S Aberdeen, ID 83210
35-02073	Charles J. Shackelford P. O. Box 212 Aberdeen, ID 83210	35-02308A	Charles A. Rossi 482 S 1600 W Pingree, ID 83262
35-02100	Arthur J. Jones 1697 W 700 S Pingree, ID 83262	35-02339	Paul T. Woods 771 S 1800 W Pingree, ID 83262
35-02116	Behrend Farms 2807 W 1900 S Aberdeen, ID 83210	35-02347	Otto R. Klassen 281 W. Boise Street Aberdeen, ID 83210
35-02127	Julia Wada Valentine 334 S 1300 W Pingree, ID 83262	35-02370	Lynn E. Hansen 2745 W 1800 S Aberdeen, ID 83210
35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	35-02387A	Charles J. Shackelford; See 35-02073
35-02167B	Sylvia and Clarence Schroeder 2308 S Moser Road American Falls, ID 83211	35-02406	Line View Farms, Inc. 2269 W 800 S Aberdeen, ID 83210
35-02167D	William R. Schroeder 2388 S Moser Rd American Falls, ID 83211	35-02470	Raymond and Betty Funk; See 35-02072
35-02167E	Katherine Schroeder Estate P. O. Box 17 Aberdeen, ID 83210	35-02498	Juan Burusco 2514 W 1700 S Aberdeen, ID 83210
35-02167F	Katherine Schroeder Estate; See 35-02167E	35-02504A	Isaac D. Pierce 2592 W 1300 S Sterling, ID 83210

35-02525	Earl H. Barclay 1096 S. 2500 W. Aberdeen, ID 83210	35-04183	Don Kramer 1003 Falls Ave. American Falls, ID 83211
35-02647A	Val F. Wahlan P. O. Box 442 Aberdeen, ID 83210	35-04221	University of Idaho Regents P. O. Box AA Aberdeen, ID 83210
35-02670B	Steven Murdock 1050 W Hwy. 39 Blackfoot, ID 83221	35-07012B	Larry E. Watt 462 S 1200 W Pingree, ID 83262
35-02670C	Steven/Ronald Murdock; See 35-02670B 1065 W 125 N Blackfoot, ID 83221	35-07022	LDS Real Est Div Twelfth Floor 50 East North Temple Street Salt Lake City, UT 84150
35-02670D	Dale C. Murdock 1048 W Hwy 39 Blackfoot, ID 83221	35-07061	Otto R. Klassen; See 35-02347
35-02712	Paul W. Behrend 2706 W 1800 S Aberdeen, ID 83210	35-07102	O. E. Feld 1470 S 2750 W Aberdeen, ID 83210
35-02824	Frank & Shirley Droghei Living Trust 467 S 1600 W Pingree, ID 83262	35-07145	Clarence Schroeder; See 35-02167B
35-02917A	Neil J. Poulson 2849 N. Pleasant Valley Rd. American Falls, ID 83211	35-07146	Herbert A. Bohrer P. O. Box 82 Springfield, ID 83277
35-02917B	Neil Poulson; See 35-02917A	35-07164A	John R. Duffin 1436 S 2750 W Aberdeen, ID 83210
35-04032	Layne J. Harker 1733 W 600 S Pingree, ID 83262	35-07191	Albert J. Horsch 2711 W 1900 S Aberdeen, ID 83210
35-04034A	Bill Funk; See 35-02154	35-07231	LDS Real Est Div; See 35-07022
35-04034B	Bill Funk; See 35-02154	35-07267A	David Bethke 3149 W Rast Road American Falls, ID 83211
35-04039	Val F. Wahlan; See 35-02647A	35-07267B	David Bethke; See 35-07267A
35-04093	Bowler Ranches Inc; See 35-02172	35-07286	Ted T. Edwards P. O. Box 104 Spencer, ID 83446
35-04095	Juan Burusco; See 35-02498	*35-07353	Raymond K. Duffin 3182 W 2000 S Aberdeen, ID 83210
35-04113	Marjorie Sainz Ltd. Partnership P. O. Box 127 Springfield, ID 83277	35-07393	Kenneth Horsch 1990 S 2600 W Aberdeen, ID 83210
35-04164	George Vollmer 3003 Vollmer Loop American Falls, ID 83211		

35-07422	David P. Dance 471 S 1200 W Pingree, ID 83262	35-07722	DeGiulio Ranch Inc. 2340 W 900 S Sterling, ID 83210
35-07450	H. Homer Anderson 2632 S 1470 W St. George, UT 84770	35-07728	John R. Duffin; See 35-07164A
35-07453A	George R. Jackson 1762 W 800 S Pingree, ID 83262	35-07729	John R. Duffin; See 35-07164A
35-07453B	George Jackson; See 35-07453A	35-07732	Todd Feld P. O. Box B Aberdeen, ID 83210
35-07494	Leonard E. Phillips 1522 S 2600 W Aberdeen, ID 83210	35-07737	Sherman N. Smith; See 35-07507
35-07507	Sherman N. Smith 2321 W 1400 S Sterling, ID 83279	35-07756	Juan Burusco; See 35-02498
35-07519	Stroschein Ranches Inc. 1464 Alpowa Ave. Moscow, ID 83843	35-07760	Raymond Funk; See 35-02072
35-07530	Dwight W. Horsch 1911 S 2700 W Aberdeen, ID 83210	35-07762	Bill Funk; See 35-02154
35-07592	George Jackson; See 35-07453	35-07790	Marjorie Sainz Ltd. Partnership; See 35-04113
35-07599	Larry E. Watt; See 35-07012B	35-07820	Thayne Driscoll; See 35-00038F
35-07618	Juan A. Irigoyen 1751 S 2600 W Aberdeen, ID 83210	*35-07865	Diane J. Deeg 2957 Deeg Road American Falls, ID 83211
35-07621	Juan Irigoyen; See 35-07618	35-07890	Knudsen Poor Farms Inc. 2700 W 2100 S Aberdeen, ID 83210
35-07627	Robert E. Mann 2556 W 1400 S Aberdeen, ID 83210	35-07894	H. Alan Funk; See 35-02066A
35-07643A	University of Idaho; See 35-04221	35-07903A	LDS Real Est Div; See 35-07022
35-07647	Bill Funk; See 35-02154	35-07903B	Albert Babneau 384 S 1200 W Pingree, ID 83262
35-07680	David L. Wahlen 2481 W 1000 S Sterling, ID 83210	35-07945	Jack Poulson 2700 W Hwy. 39 Aberdeen, ID 83210
35-07696	Charles J. Shackelford; See 35-02073	35-07948	Scott E. Poulson 2831 W 1500 S Aberdeen, ID 83210
35-07721	Theron T. Edwards; See 35-07286	35-07957	David P. Dance; See 35-07422
		35-08054	Ronald W. Stroschein 1292 S 2600 W Aberdeen, ID 83210

35-08602 Gary Judge
692 S 1800 W
Pingree, ID 83626

35-08805 Judith Dvorak; See 35-02236

35-08878 Dorothy Corbridge
265 Van Buren
American Falls, ID 83211

35-08952 Regina Line
489 E Central
Box 579
Aberdeen, ID 83210

35-10318 Ralph Klassen Farms Partnership
2837 W 1700 S
Aberdeen, ID 83210

35-10653 Paul T. Woods; See 35-02339

35-10843 Lehman Farms; See 35-02049

*35-10859 James T. Lehman
2912 W 2000 S
Aberdeen, ID 83210

*35-10860 Karen/James Lehman; See 35-10859

35-12088 O. E. Feld; See 35-07102

35-12248 Earl H. Barclay; See 35-02525

35-13018 Julia Valentine; See 35-02127

35-13073 Harold E. Isaak
2854 W 1800 S
Aberdeen, ID 83210

35-13264 Charles O. Klassen
1948 S 2900 W
Aberdeen, ID 83210

*Represented by attorney Josephine P. Beeman

RECEIVED

NOV 30 2001

Department of Water Resources

RECEIVED

DEC 06 2001

Department of Water Resources
Eastern Region

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RECEIVED SRBA
TWIN FALLS, IDAHO
FILED

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. 35976

A. Subcase No. 35-02315
and each subcase listed in Exhibit
A attached hereto

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Twin Falls Canal Company
Address: P.O. Box 326
Twin Falls, Idaho 83303-0326
Daytime Phone: (208) 733-6731

Name & Address of Attorney, if any:

John K. Simpson
John A. Rosholt
BARKER ROSHOLT & SIMPSON, LLP
P.O. Box 2139
Boise, ID 83701-2139

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Aberdeen-Springfield Canal Company
c/o Roger Ling

Address: Ling & Robinson

615 H Street
P.O. Box 396
Rupert, Idaho 83350

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ **Name and Address:**
2. ☒ **Source:**
3. ☐ **Quantity:**
4. ☒ **Priority Date:**
5. ☐ **Point(s) of Diversion:**
6. ☐ **Instream Flow Description:**
7. ☐ **Purpose(s) of Use:**
8. ☐ **Period of Year:**
9. ☐ **Place of Use:**
10. ☒ **Other Matters**
11. **Recommendation:**

☐ This water right should not exist.

☐ This water right not being recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING RESPONSES: Please refer to pleadings previously filed by the Canal Company in the subcases that have since been consolidated and designated by the lead subcase 35-02315. Those pleadings and supporting material are hereby incorporated into this response.

F.

VERIFICATION (Must be Completed)

State of IDAHO

)

)ss.

County of Twin Falls

)

John A. Rosholt, duly sworn, upon oath, deposes and says:

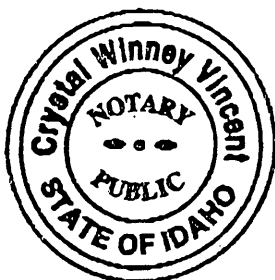
That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

John A. Rosholt

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 28, 2001.



Crystal Winney Vincent
NOTARY PUBLIC FOR IDAHO
Residing at: *Twin Falls, ID*
My commission expires: *April 8, 2004*

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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 hereby certify that on the 28th day of November, 2001, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original delivered to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: James T. Lehman
Address: c/o Josephine P. Beeman
409 W. Jefferson St.
Boise, Idaho 83702
3. One copy to the party who filed the objection at the following address:
Name: Roger Ling
Address: Ling & Robinson
P.O. Box 396
Rupert, Idaho 83350
4. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098
Court's mailing list for Subcase 35-02315

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

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



Your signature or signature of attorney
mailing on your behalf

EXHIBIT "A"

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35-02127	Julia Wada Valentine 334 S 1300 W Pingree, ID 83262	35-02370	Lynn E. Hansen 2745 W 1800 S Aberdeen, ID 83210
35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	35-02387A	Charles J. Shackelford; See 35-02073
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35-02647A	Val F. Wahlan P. O. Box 442 Aberdeen, ID 83210	35-04221	University of Idaho Regents P. O. Box AA Aberdeen, ID 83210
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35-04032	Layne J. Harker 1733 W 600 S Pingree, ID 83262	35-07191	Albert J. Horsch 2711 W 1900 S Aberdeen, ID 83210
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35-04113	Marjorie Sainz Ltd. Partnership P. O. Box 127 Springfield, ID 83277	35-07393	Kenneth Horsch 1990 S 2600 W Aberdeen, ID 83210
35-04164	George Vollmer 3003 Vollmer Loop American Falls, ID 83211		

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35-07453B	George Jackson; See 35-07453A	35-07732	Todd Feld P. O. Box B Aberdeen, ID 83210
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35-07599	Larry E. Watt; See 35-07012B	35-07820	Thayne Driscoll; See 35-00038F
35-07618	Juan A. Irigoyen 1751 S 2600 W Aberdeen, ID 83210	*35-07865	Diane J. Deeg 2957 Deeg Road American Falls, ID 83211
35-07621	Juan Irigoyen; See 35-07618	35-07890	Knudsen Poor Farms Inc. 2700 W 2100 S Aberdeen, ID 83210
35-07627	Robert E. Mann 2556 W 1400 S Aberdeen, ID 83210	35-07894	H. Alan Funk; See 35-02066A
35-07643A	University of Idaho; See 35-04221	35-07903A	LDS Real Est Div; See 35-07022
35-07647	Bill Funk; See 35-02154	35-07903B	Albert Babneau 384 S 1200 W Pingree, ID 83262
35-07680	David L. Wahlen 2481 W 1000 S Sterling, ID 83210	35-07945	Jack Poulson 2700 W Hwy. 39 Aberdeen, ID 83210
35-07696	Charles J. Shackelford; See 35-02073	35-07948	Scott E. Poulson 2831 W 1500 S Aberdeen, ID 83210
35-07721	Theron T. Edwards; See 35-07286	35-07957	David P. Dance; See 35-07422
		35-08054	Ronald W. Stroschein 1292 S 2600 W Aberdeen, ID 83210

35-08602 Gary Judge
692 S 1800 W
Pingree, ID 83626

35-08805 Judith Dvorak; See 35-02236

35-08878 Dorothy Corbridge
265 Van Buren
American Falls, ID 83211

35-08952 Regina Line
489 E Central
Box 579
Aberdeen, ID 83210

35-10318 Ralph Klassen Farms Partnership
2837 W 1700 S
Aberdeen, ID 83210

35-10653 Paul T. Woods; See 35-02339

35-10843 Lehman Farms; See 35-02049

*35-10859 James T. Lehman
2912 W 2000 S
Aberdeen, ID 83210

*35-10860 Karen/James Lehman; See 35-10859

35-12088 O. E. Feld; See 35-07102

35-12248 Earl H. Barclay; See 35-02525

35-13018 Julia Valentine; See 35-02127

35-13073 Harold E. Isaak
2854 W 1800 S
Aberdeen, ID 83210

35-13264 Charles O. Klassen
1948 S 2900 W
Aberdeen, ID 83210

*Represented by attorney Josephine P. Beeman

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Department of Water Resources

RECEIVED

DEC 06 2001

Department of Water Resources
Eastern Region

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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. 35976

A. Subcase No. 35-02315
and each subcase listed in Exhibit
A attached hereto

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: North Side Canal Company
Address: 921 North Lincoln
Jerome, ID 83338
Daytime Phone: (208) 324-2319

Name & Address of Attorney, if any:

John K. Simpson
John A. Rosholt
BARKER ROSHOLT & SIMPSON, LLP
P.O. Box 2139
Boise, ID 83701-2139

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Aberdeen-Springfield Canal Company
c/o Roger Ling

Address: Ling & Robinson

615 H Street
P.O. Box 396
Rupert, Idaho 83350

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address:
2. ☒ Source:
3. ☐ Quantity:
4. ☒ Priority Date:
5. ☐ Point(s) of Diversion:
6. ☐ Instream Flow Description:
7. ☐ Purpose(s) of Use:
8. ☐ Period of Year:
9. ☐ Place of Use:
10. ☒ Other Matters
11. Recommendation:

☐ This water right should not exist.

☐ This water right not being recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING RESPONSES:** Please refer to pleadings previously filed by the Canal Company in the subcases that have since been consolidated and designated by the lead subcase 35-02315. Those pleadings and supporting material are hereby incorporated into this response.

F.

VERIFICATION (Must be Completed)

State of IDAHO

)
)ss.

County of Twin Falls

)

John A. Rosholt, duly sworn, upon oath, deposes and says:

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

(Signature of person filing response)

John A. Rosholt

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 28, 2001.



Crystal Winney Vincent
NOTARY PUBLIC FOR IDAHO
Residing at *Twin Falls, ID*
My commission expires: *April 8, 2004*

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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 hereby certify that on the 28th day of November, 2001, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original delivered to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: James T. Lehman
Address: c/o Josephine P. Becman
409 W. Jefferson St.
Boise, Idaho 83702
3. One copy to the party who filed the objection at the following address:
Name: Roger Ling
Address: Ling & Robinson
P.O. Box 396
Rupert, Idaho 83350
4. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098
Court's mailing list for Subcase 35-02315

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

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



Your signature or signature of attorney
mailing on your behalf

EXHIBIT "A"

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35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	35-02387A	Charles J. Shackelford; See 35-02073
35-02167B	Sylvia and Clarence Schroeder 2308 S Moser Road American Falls, ID 83211	35-02406	Line View Farms, Inc. 2269 W 800 S Aberdeen, ID 83210
35-02167D	William R. Schroeder 2388 S Moser Rd American Falls, ID 83211	35-02470	Raymond and Betty Funk; See 35-02072
35-02167E	Katherine Schroeder Estate P. O. Box 17 Aberdeen, ID 83210	35-02498	Juan Burusco 2514 W 1700 S Aberdeen, ID 83210
35-02167F	Katherine Schroeder Estate; See 35-02167E	35-02504A	Isaac D. Pierce 2592 W 1300 S Sterling, ID 83210

35-02525	Earl H. Barclay 1096 S. 2500 W. Aberdeen, ID 83210	35-04183	Don Kramer 1003 Falls Ave. American Falls, ID 83211
35-02647A	Val F. Wahlan P. O. Box 442 Aberdeen, ID 83210	35-04221	University of Idaho Regents P. O. Box AA Aberdeen, ID 83210
35-02670B	Steven Murdock 1050 W Hwy. 39 Blackfoot, ID 83221	35-07012B	Larry E. Watt 462 S 1200 W Pingree, ID 83262
35-02670C	Steven/Ronald Murdock; See 35-02670B 1065 W 125 N Blackfoot, ID 83221	35-07022	LDS Real Est Div Twelfth Floor 50 East North Temple Street Salt Lake City, UT 84150
35-02670D	Dale C. Murdock 1048 W Hwy 39 Blackfoot, ID 83221	35-07061	Otto R. Klassen; See 35-02347
35-02712	Paul W. Behrend 2706 W 1800 S Aberdeen, ID 83210	35-07102	O. E. Feld 1470 S 2750 W Aberdeen, ID 83210
35-02824	Frank & Shirley Droghei Living Trust 467 S 1600 W Pingree, ID 83262	35-07145	Clarence Schroeder; See 35-02167B
35-02917A	Neil J. Poulson 2849 N. Pleasant Valley Rd. American Falls, ID 83211	35-07146	Herbert A. Bohrer P. O. Box 82 Springfield, ID 83277
35-02917B	Neil Poulson; See 35-02917A	35-07164A	John R. Duffin 1436 S 2750 W Aberdeen, ID 83210
35-04032	Layne J. Harker 1733 W 600 S Pingree, ID 83262	35-07191	Albert J. Horsch 2711 W 1900 S Aberdeen, ID 83210
35-04034A	Bill Funk; See 35-02154	35-07231	LDS Real Est Div; See 35-07022
35-04034B	Bill Funk; See 35-02154	35-07267A	David Bethke 3149 W Rast Road American Falls, ID 83211
35-04039	Val F. Wahlan; See 35-02647A	35-07267B	David Bethke; See 35-07267A
35-04093	Bowler Ranches Inc; See 35-02172	35-07286	Ted T. Edwards P. O. Box 104 Spencer, ID 83446
35-04095	Juan Burusco; See 35-02498	*35-07353	Raymond K. Duffin 3182 W 2000 S Aberdeen, ID 83210
35-04113	Marjorie Sainz Ltd. Partnership P. O. Box 127 Springfield, ID 83277	35-07393	Kenneth Horsch 1990 S 2600 W Aberdeen, ID 83210
35-04164	George Vollmer 3003 Vollmer Loop American Falls, ID 83211		

35-07422	David P. Dance 471 S 1200 W Pingree, ID 83262	35-07722	DeGiulio Ranch Inc. 2340 W 900 S Sterling, ID 83210
35-07450	H. Homer Anderson 2632 S 1470 W St. George, UT 84770	35-07728	John R. Duffin; See 35-07164A
35-07453A	George R. Jackson 1762 W 800 S Pingree, ID 83262	35-07729	John R. Duffin; See 35-07164A
35-07453B	George Jackson; See 35-07453A	35-07732	Todd Feld P. O. Box B Aberdeen, ID 83210
35-07494	Leonard E. Phillips 1522 S 2600 W Aberdeen, ID 83210	35-07737	Sherman N. Smith; See 35-07507
35-07507	Sherman N. Smith 2321 W 1400 S Sterling, ID 83279	35-07756	Juan Burusco; See 35-02498
35-07519	Stroschein Ranches Inc. 1464 Alpowa Ave. Moscow, ID 83843	35-07760	Raymond Funk; See 35-02072
35-07530	Dwight W. Horsch 1911 S 2700 W Aberdeen, ID 83210	35-07762	Bill Funk; See 35-02154
35-07592	George Jackson; See 35-07453	35-07790	Marjorie Sainz Ltd. Partnership; See 35-04113
35-07599	Larry E. Watt; See 35-07012B	35-07820	Thayne Driscoll; See 35-00038F
35-07618	Juan A. Irigoyen 1751 S 2600 W Aberdeen, ID 83210	*35-07865	Diane J. Deeg 2957 Deeg Road American Falls, ID 83211
35-07621	Juan Irigoyen; See 35-07618	35-07890	Knudsen Poor Farms Inc. 2700 W 2100 S Aberdeen, ID 83210
35-07627	Robert E. Mann 2556 W 1400 S Aberdeen, ID 83210	35-07894	H. Alan Funk; See 35-02066A
35-07643A	University of Idaho; See 35-04221	35-07903A	LDS Real Est Div; See 35-07022
35-07647	Bill Funk; See 35-02154	35-07903B	Albert Babneau 384 S 1200 W Pingree, ID 83262
35-07680	David L. Wahlen 2481 W 1000 S Sterling, ID 83210	35-07945	Jack Poulson 2700 W Hwy. 39 Aberdeen, ID 83210
35-07696	Charles J. Shackelford; See 35-02073	35-07948	Scott E. Poulson 2831 W 1500 S Aberdeen, ID 83210
35-07721	Theron T. Edwards; See 35-07286	35-07957	David P. Dance; See 35-07422
		35-08054	Ronald W. Stroschein 1292 S 2600 W Aberdeen, ID 83210

35-08602 Gary Judge
692 S 1800 W
Pingree, ID 83626

35-08805 Judith Dvorak; See 35-02236

35-08878 Dorothy Corbridge
265 Van Buren
American Falls, ID 83211

35-08952 Regina Line
489 E Central
Box 579
Aberdeen, ID 83210

35-10318 Ralph Klassen Farms Partnership
2837 W 1700 S
Aberdeen, ID 83210

35-10653 Paul T. Woods; See 35-02339

35-10843 Lehman Farms; See 35-02049

*35-10859 James T. Lehman
2912 W 2000 S
Aberdeen, ID 83210

*35-10860 Karen/James Lehman; See 35-10859

35-12088 O. E. Feld; See 35-07102

35-12248 Earl H. Barclay; See 35-02525

35-13018 Julia Valentine; See 35-02127

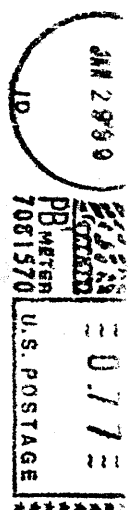
35-13073 Harold E. Isaak
2854 W 1800 S
Aberdeen, ID 83210

35-13264 Charles O. Klassen
1948 S 2900 W
Aberdeen, ID 83210

*Represented by attorney Josephine P. Beeman

CHARD ST.
83706-2237.

ADDRESSEE SERVICE
REQUESTED



RECEIVED
FEB 05 1999

Department of Water Resources

DRIS118 832103002 1C97 03 02/03/99
FORWARD TIME EXP RTN TO SEND
DRISCOLL
3140 WILLOW ST
AMERICAN FALLS ID 83211-5520

RETURN TO SENDER

R35-00038F

ANDRA DRISCOLL
THAYNE DRISCOLL
1118 S 2600 W
ABERDEEN

ID 83210

+35-07820



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JULY 21, 1993

THAYNE DRISCOLL
1118 S 2600 W
ABERDEEN ID 83210

RE: CHANGE IN OWNERSHIP FOR A35-07820 AND -00038F

Dear Mr. Driscoll:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

File: P

MICROFILMED

APR 15 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 12/31/90

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A35-07820, A35-00038F

☐ Name and Address of Former Owner/Claimant(s)(Seller): MARTIN A OR FAY DRISCOLL
C/O WALLACE DRISCOLL 2459 W 1100 S
ABERDEEN, ID 83210

☐ New Owner/Claimant (Purchaser): THAYNE OR ANDRA DRISCOLL

☐ New Mailing Address: 1118 S. 2600 W.
ABERDEEN, ID. 83210

☐ New Telephone Number: () 397 - 5302

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Thayne J. Driscoll Date 7/20/93

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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APR 15 1994

" Copy "

WARRANTY DEED

For Value Received WALLACE W. DRISCOLL and MAURINE D. DRISCOLL, husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto

THAYNE J. DRISCOLL and ANDRA D. DRISCOLL, husband and wife,

whose current address is 1139 South 2600 West, Aberdeen, Idaho 83210

the grantees s, the following described premises, in Bingham County Idaho, to wit:

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 29 and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the E $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, all in Township 4 South, Range 32, E.B.M., in Bingham County, EXCEPTING THEREFROM:

Beginning at the SE corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 28; thence S 89°46' West along the South line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 522.1 feet to a point; thence North 28°20' East 280.8 feet to a point; thence North 42°52' East a distance of 561.1 feet, more or less, to a point on the East line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 28; thence South 0°37' East along the East line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 656.3 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM right-of-way of the Salmon River Railroad, Aberdeen Branch, as per Warranty Deeds recorded in Book 14, Page 503, Book 21, Page 146; and Book 18, Page 30, records of said County.

Together with a 100 H.P. U.S. electric motor, with a Layne turbine pump, and 2500 feet of 8" through 10" buried steel mainline, Valley model 4171 electric self-propelled circular system 1210 length 1210 diameter, serial #25920, Valley mini circle self-propelled circular system 650 ft. length, 1300 diameter, serial #18385, and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 12-31-90

WALLACE W. DRISCOLL

MAURINE D. DRISCOLL
MAURINE D. DRISCOLL

STATE OF IDAHO, COUNTY OF Bannock
On this 31st day of Dec., 1990,
before me, a notary public in and for said State, personally
appeared WALLACE W. DRISCOLL and
MAURINE D. DRISCOLL, husband
and wife

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

N. Randy Smith
Notary Public
Residing at Pocatello, Idaho
Comm. Expires 3/10/92

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

MICROFILMED

APR 15 1994



38.2

3
15.8

2200 W.

Bower Rd 10505

WPRR

Bower Rd 2150 W

29 28

Steeling Rd 2300 W

2
25.0

T24526
2288

39.7

22.1

T24527
2288

1
70.2
7.6

20.5

3
72.7

T2326
3879

20 21

17 16

Pasture

162.6

9005 - VANDER RD

3
6.8
14.7

23.8

9.7

82.3

28.5

Transfer No. 2843

Department of Water Resources

Water Right No. 35-0038STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT AMENDED

To Change the Point of Diversion and/or the Place of Use

Name of applicant MARTIN A. & FAY W. DRISCOLL Phone 684-4956Post Office address Box 101, Pingree, ID 83262

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 35-0038 Decreed to W.G. STUFFLEBEAM
(Name)
in case of W.G. STUFFLEBEAM, et al vs Thomas Doherty, et al
dated in April 5, 1902 in 5th Judicial Dist. Court
(Name of Court) county of Bingham
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant is successor in interest of original owners of land to which water right was decreed. Copies of documents and brief explanation are attached.

3. Source of water Danielson Spring Creek tributary to Snake River

4. Date of priority April 30, 1885

5. Water is used for the following purposes:

amount 11.0 cfs for Irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day --- both dates inclusive)

6. Total amount of water under right: a. 11.0 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NOT GIVEN IN DECREE of Section _____

Township _____ Range _____ B.M. in _____ County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above A well has recently been drilled under Permit No. 35-7020.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?
If yes, describe in detail: REMARKS _____

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (if the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14 Township 4 S
Range 32 E, B.M., Bingham County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	32E	28					40			40									120
		29				40									40				80

Total number of acres to be irrigated 200

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet
- b. Description of diverting works Existing diversion structure or diversion structure to be constructed for diverting water from Milner Pool at Milner Dam.
- c. Describe the reasons for the proposed changes G.K. Munsee and LaRee Munsee, husband and wife, have purchased the above described water right from applicants and desire to apply the same to land owned by them in Owyhee County.

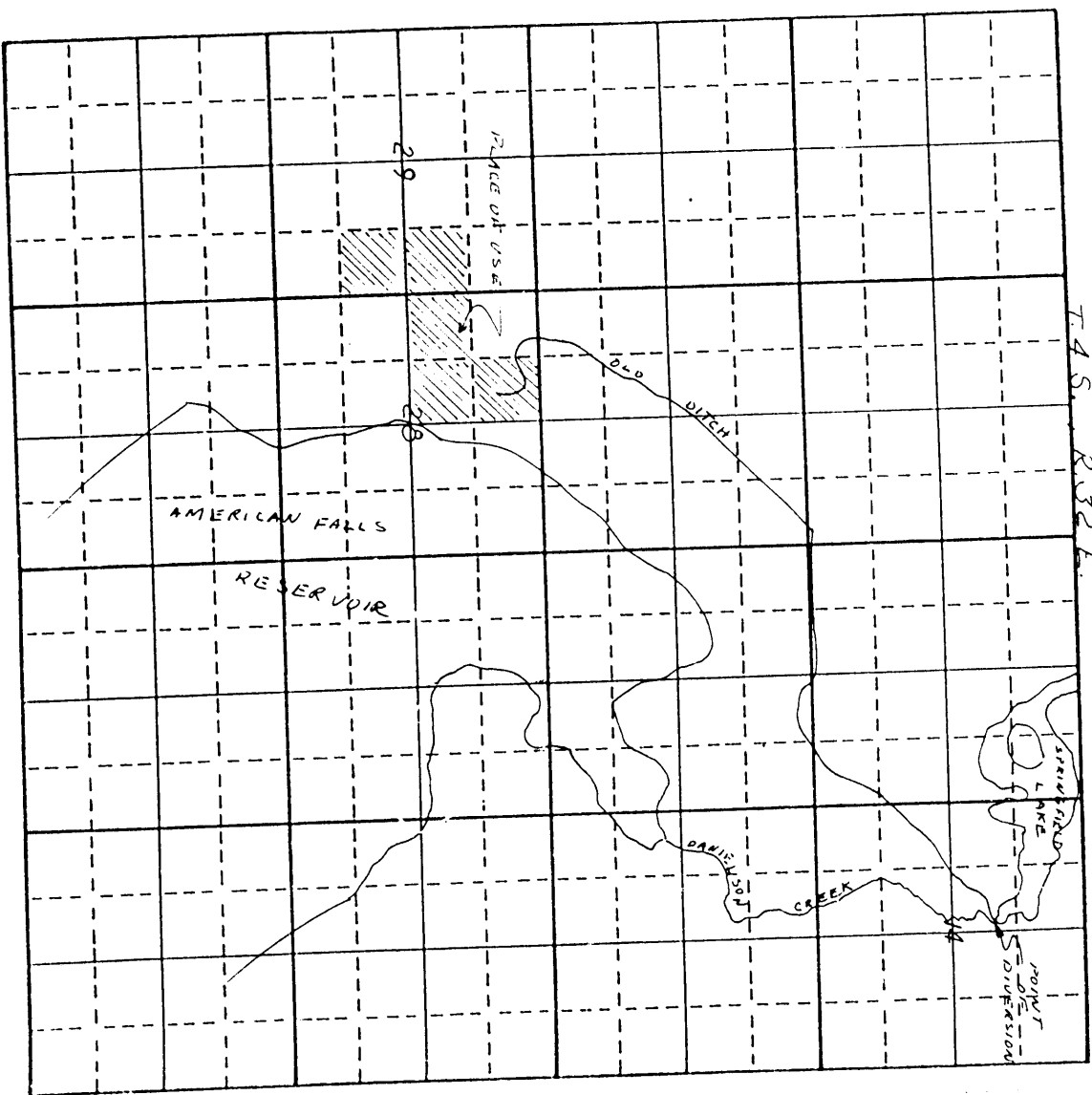
2. Change in point of diversion

Point of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29 Township 10 S
Range 21 E, B.M., Twin Falls County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
No affect.

3. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached. Not applicable.
3. Draw a map indicating the points of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.