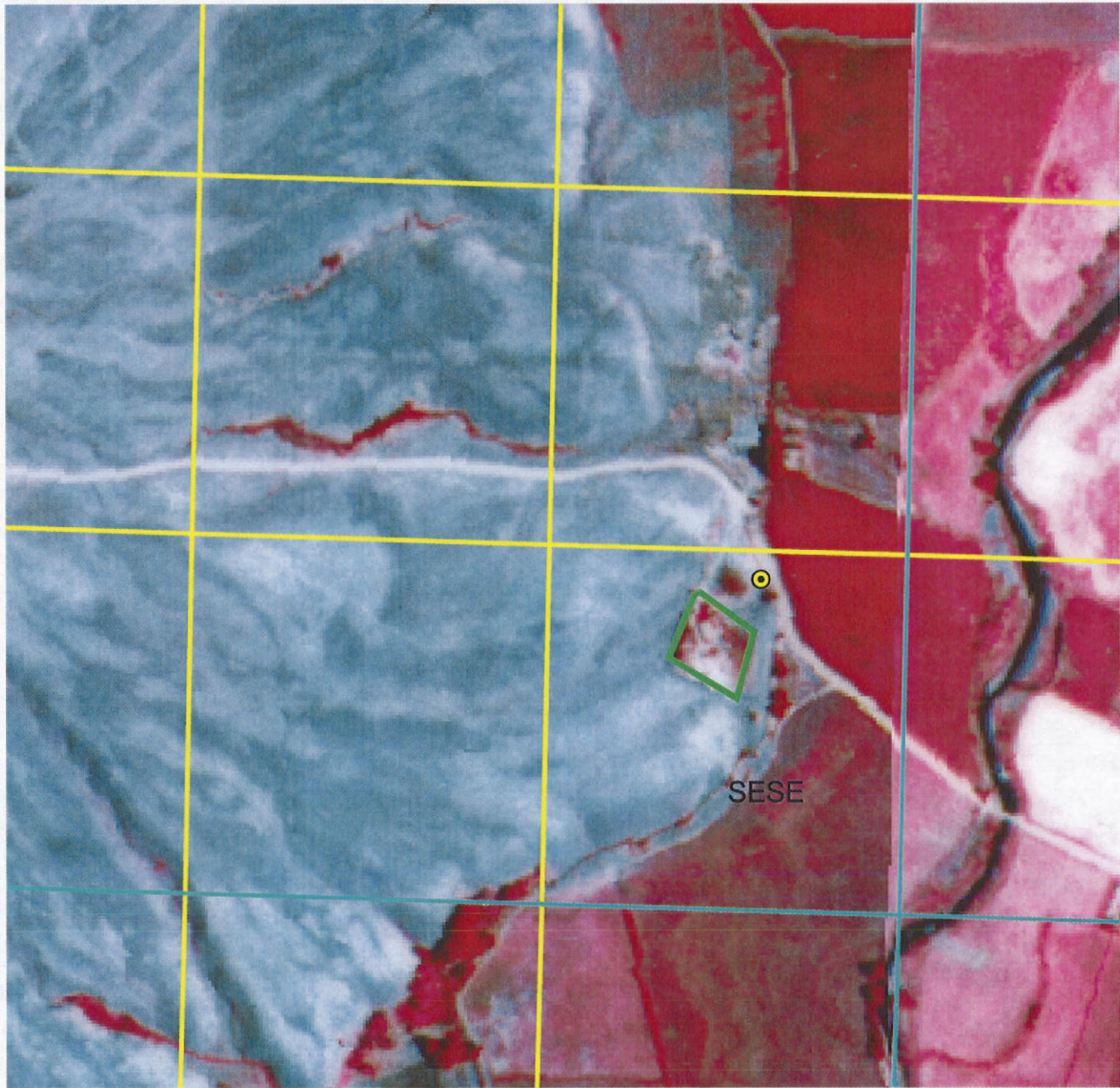


# Idaho Dept. of Water Resources

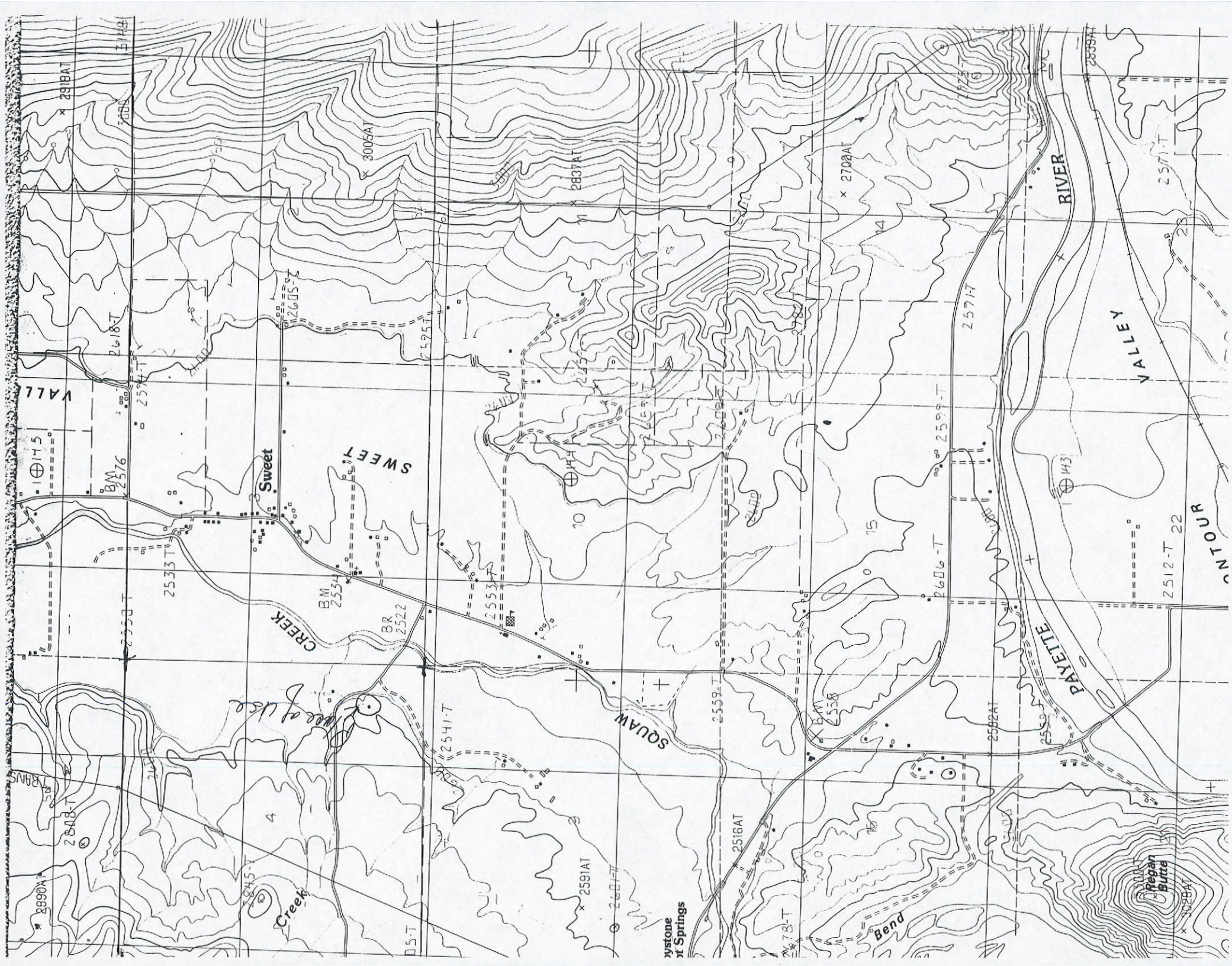
Claim No(s): 65-03005A  
T07N, R01E, Sec 4  
Created by: Sue Bock  
Date: 11/02/2000

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



0 1000 2000 3000 Feet

1987 NAPP Photo



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: 39576

Ident. Number: A65-03005A  
Date Received: 01/14/2000  
Receipt No: X999999  
Received By: MTS

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DARRELL G MUNGER 208-584-3466  
Address: PO BOX 97  
SWEET ID 83670

AND/OR

Name: JEAN A MUNGER 208-584-3466  
Address: PO BOX 97  
SWEET ID 83670

2. Date of Priority: APR 1, 1864

3. Source: SQUAW CREEK Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 01E   | 4       | SE     | SE     |     |     | GEM    |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.020 |      |        |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 07N      | 01E   | 4       | SE     | SE  |     | IRR | 1.0   |

### 10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 1.0   |
|          |       |         |            |     | Total Acres   | 1.0   |

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

**Case Number:**

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

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: 1

**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): Darrell G. Manger Date: \_\_\_\_\_  
 \_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 14<sup>th</sup> day  
of January 2000 Melvin A. Schutte  
Notary Public

Seal

Residing at Bosse, Idaho  
My Commission Expires 7-24-2001

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 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-03005A

JUN -7 PM 3:36  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED  
*AM*

NAME AND ADDRESS: DARRELL G MUNGER  
JEAN A MUNGER  
PO BOX 97  
SWEET, ID 83670

SOURCE: SQUAW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/01/1864

POINT OF DIVERSION: T07N R01E S04 SESE Within Gem County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 11-01 | 0.02 CFS |

PLACE OF USE: Irrigation Within Gem County  
T07N R01E S04 SESE 1.0  
1.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Basin 65 General Provisions No. 3, the Separate Streams  
General Provision, does not apply to appropriations of water  
after October 18, 1977.

This water right shall be administered as being from a  
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISION NO. 3.  
If the holder of this right seeks to change the right pursuant  
to Idaho Code Section 42-222 or successor statute, nothing in  
this general provision shall preclude any other person or entity  
from demonstrating that such change in use would cause injury to  
its water right or from receiving any relief provided by law in  
the event of injury.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance  
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a  
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final  
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

*John M. Belanson*  
John M. Belanson  
Presiding Judge of the  
Snake River Basin Adjudication

RECEIVED

JAN 24 2002

WATER RESOURCES  
WESTERN REGION

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 65-3005A

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,  
Bureau of Reclamation, Regional Director PN Code-3100  
Address: 1150 N. Curtis Rd. Suite 100  
Boise, Idaho 83706-1234  
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:  
David W. Gehlert (303 312-7352)  
Trial Attorney, General Litigation Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
999 18th Street, Suite N 945  
Denver, CO 80202

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

Name: Darrell G. Munger & Jean A. Munger  
Address: PO Box 97  
Sweet, ID 83670

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**  
Should be:
  2. ☐ **Source**  
Should be:
  3. ☐ **Quantity**  
Should be:
  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.

**E. REASONS SUPPORTING EACH OBJECTION(S):**

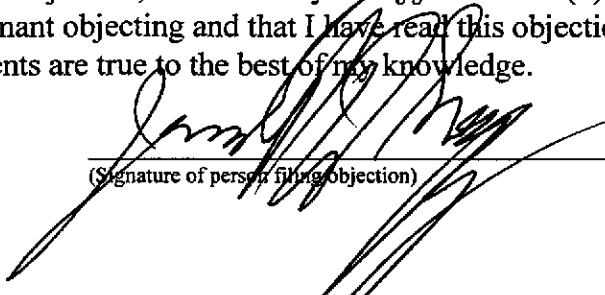
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

**F. VERIFICATION (Must be Completed)**

State of Idaho )  
 ) ss.  
County of Ada )

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

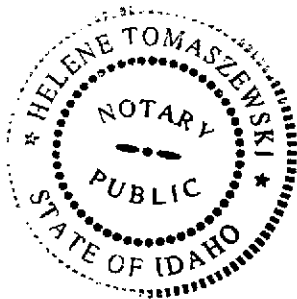
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

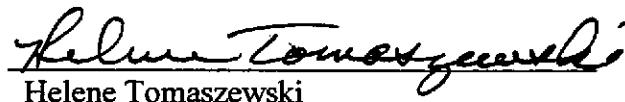
  
(Signature of person filing objection)

\_\_\_\_\_  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002



  
Helene Tomaszewski  
Notary Public for: Idaho  
Residing at: Meridian  
My Commission Expires: 01-16-2002

## 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 17, 2002, I mailed the original and copies of this objection, 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, ID. 83303-2707

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

Name: Darrell G. Munger & Jean A. Munger

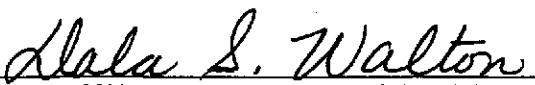
Address: PO Box 97  
Sweet, ID 83670

3. Copies to:

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

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

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

  
Signature of Objector or attorney mailing on Objector's behalf

11/02/2000

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-3005A

NAME AND ADDRESS: DARRELL G MUNGER  
JEAN A MUNGER  
PO BOX 97  
SWEET, ID 83670

SOURCE: SQUAW CREEK TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/01/1864

POINT OF DIVERSION: T07N R01E S4 SESE Within GEM County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4-01 11-01           | 0.02 CFS        |

PLACE OF USE:

IRRIGATION Within GEM County  
T07N R01E S4 SESE 1  
1 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP  
No. A65-03005A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/24/00  
PAGE: 2

| OWNER<br>CODE | NAME & ADDRESS   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | DARRELL G MUNGER | 04/01/1864       | IRRIGATION | 04-01 11-01           | 0.020 CFS         |                     |
| C             | JEAN A MUNGER    |                  |            |                       |                   |                     |
|               | PO BOX 97        |                  |            |                       |                   |                     |
|               | SWEET ID 83670   |                  |            |                       |                   |                     |
|               | (208) 584-3466   |                  |            |                       |                   |                     |
|               |                  |                  |            | TOTAL DIVERSION:      | 0.020 CFS         |                     |

Water Source: SQUAW CREEK

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R01E S04 SESE

GEM County

Place of use Legal Description for: IRRIGATION

|     |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |             |   |     |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|---|-----|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | : | SUM |
| 07N | 01E | 4 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |             | : |     |
|     |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 01          | : | 1.0 |
|     |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES |   | 1.0 |

POU County: GEM

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

WR5809NP  
No. 65-03005A

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 11/02/00  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | JAMES A. ELDRIDGE   | 04/01/1864       | IRRIGATION | 04/01 11/01           | 0.020 CFS         |                     |
| C             | BERNICE M. ELDRIDGE |                  |            |                       |                   |                     |
|               | SWEET ID 83670      |                  |            | TOTAL DIVERSION:      | 0.020 CFS         |                     |

Water Source: SQUAW CREEK

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R01E S04

SESE

GEM County

Place of use Legal Description for: IRRIGATION

|     |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |             |     |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|-----|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :           | SUM |
| 07N | 01E | 4 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | :           | 1.0 |
|     |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | 1.0 |

Pou County: GEM

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 04/01/1864 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    |            |

Misc: Water District Number: 65 Field Exam Fee:

# Idaho Dept. of Water Resources

Claim No(s): 65-03005A

T07N, R01E, Sec 4

Created by: Sue Bock

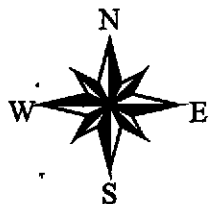
Date: 11/02/2000

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



0 1000 2000 3000 Feet



1987 NAPP Photo

