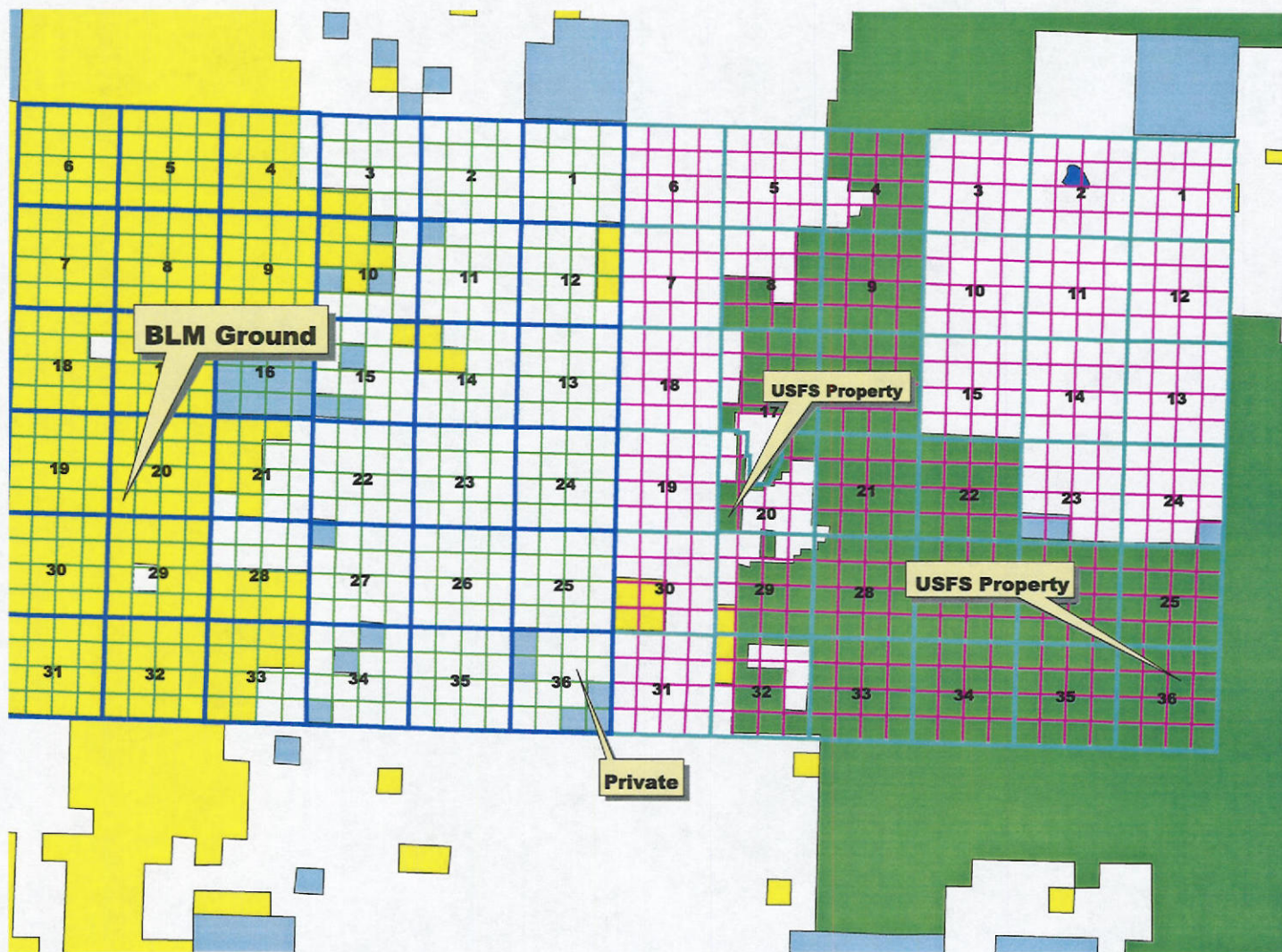


USFS Objection to Jennaro - 65-17905 & 65-17908



1320 Feet

- Recommended POD
- Recommended POU
- Gem.shp
- S10n01e.shp
- S10n02e.shp
- T10n01e.shp
- T10n02e.shp
- Idown.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service



Prepared by: Craig Saxton
Date: April 2002

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: A65-17908
Date Received: 1/05/1989 *pat*
Receipt No: C003701
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERALD JENNARO
Address: 4092 GREENOAKS WAY
HAYWARD, CA 94542

AND/OR

Name: JOSEPH JENNARO
Address: 4092 GREENOAKS WAY
HAYWARD, CA 94542

2. Date of Priority: APR 01, 1893

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	02E	36	SE	SW	NE		GEM

5. Description of diverting works:
IN STREAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	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:
S/50 BEEF CATTLE

A65-17908

Page 1

Date: 01/05/89

MICROFILMED
SEP 28 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	02E	36	SW NE		STOCK	

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:
NONE

14. Remarks:
IN STREAM STOCKWATERING

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

Identification No A65-17908
Date Received 12-29-88
Receipt Number 0003701

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Jerald Jennaro and/or Joseph Jennaro Phone () _____

Mailing Address 4092 Greenoaks Way, Hayward, California Zip 94542

2. Date of Priority (Only one per claim) 4/1/1893 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) spring

which is tributary to (b) sinks Name or kind of source

4. Location of point of diversion is: Township 10 N Range 2 E

Section 36, SE 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,

County of Gem

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For stock purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount .02 ^(cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully (Domestic, give number of households served if single ownership; Stockwater Type and Number of livestock) 50 head beef cattle

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SEP 28 1992

10 Place of use is Township: 10 N Range 2 E

Section 36, SW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

County of Gem for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11 In which county (ies) are lands listed above as place of use located? Gem

12 Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13 Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date 12/28/88

Date 12/28/88

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing

_____ Organization
document in the space below as _____ of _____

_____ Title
and that the statements contained in the foregoing document are true and correct.

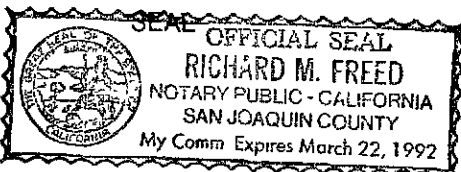
Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ } SS

County of _____ }

Subscribed and sworn (or affirmed) before me this 28 day of December 1988



Notary Public Richard M. Freed

Residing at Stockton, Ca.

My Commission Expires 3-22-92

Last Name Freed Ident No. _____

Copies: White-State, Yellow-Glendon

MICROFILMED

SEP 28 1992

In Re SRBA	)	SUBCASE NO.: 65-17908
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	<u>AMENDED CLAIM</u>
	)	
	)	For Domestic and Stockwater Rights
	)	

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

IDWR CONCURRENCE:

Roxanne Brown date
Sr. Water Resource Agent
Idaho Dept of Water Resource

As to Form:

Garrick L. Baxter date
Deputy Attorney General, IDWR

Saxton, Craig

From: Saxton, Craig
Sent: Wednesday, April 03, 2002 4:01 PM
To: Baxter, Garrick
Cc: Shurte, Jan
Subject: RE: 65-17905 & 65-17908 (Jennaro)

Garrick,

I don't have Gem county parcel data for this area. But I do have general Ownership maps.

65-17908:

Claimed and Recommended POU and POD is T10N, R02E, S36 SWNE. ArcView ownership themes indicate that the recommended legal for POU and POD is on USFS land. ArcView records indicate that T10N, R01E, S36 SWNE is private land.

Conclusion. I would agree with the USFS analysis. It looks like an error in filing the claim. I cannot confirm that the Jennaro's own the ground in R01E, but I can confirm that it is private ground. I would go ahead and make the change. You could request a Deed from the Jennaro's to confirm ownership of land in R01E, but it probably isn't totally necessary since we have made recommendations before without confirming ownership of the land (which of course we try to do now)

65-17905.

Claimed and Recommended POU and POD is T10N, R02E, S20, SWSW. ArcView ownership themes indicate that the recommended legal for POU and POD is on USFS land. However, T10N, R01E, S20, SWSW is BLM land.

Conclusion: I agree with USFS in the fact that the right was recommended on their property. But making the change will probably cause some problems with BLM. I am not sure how to handle this one.



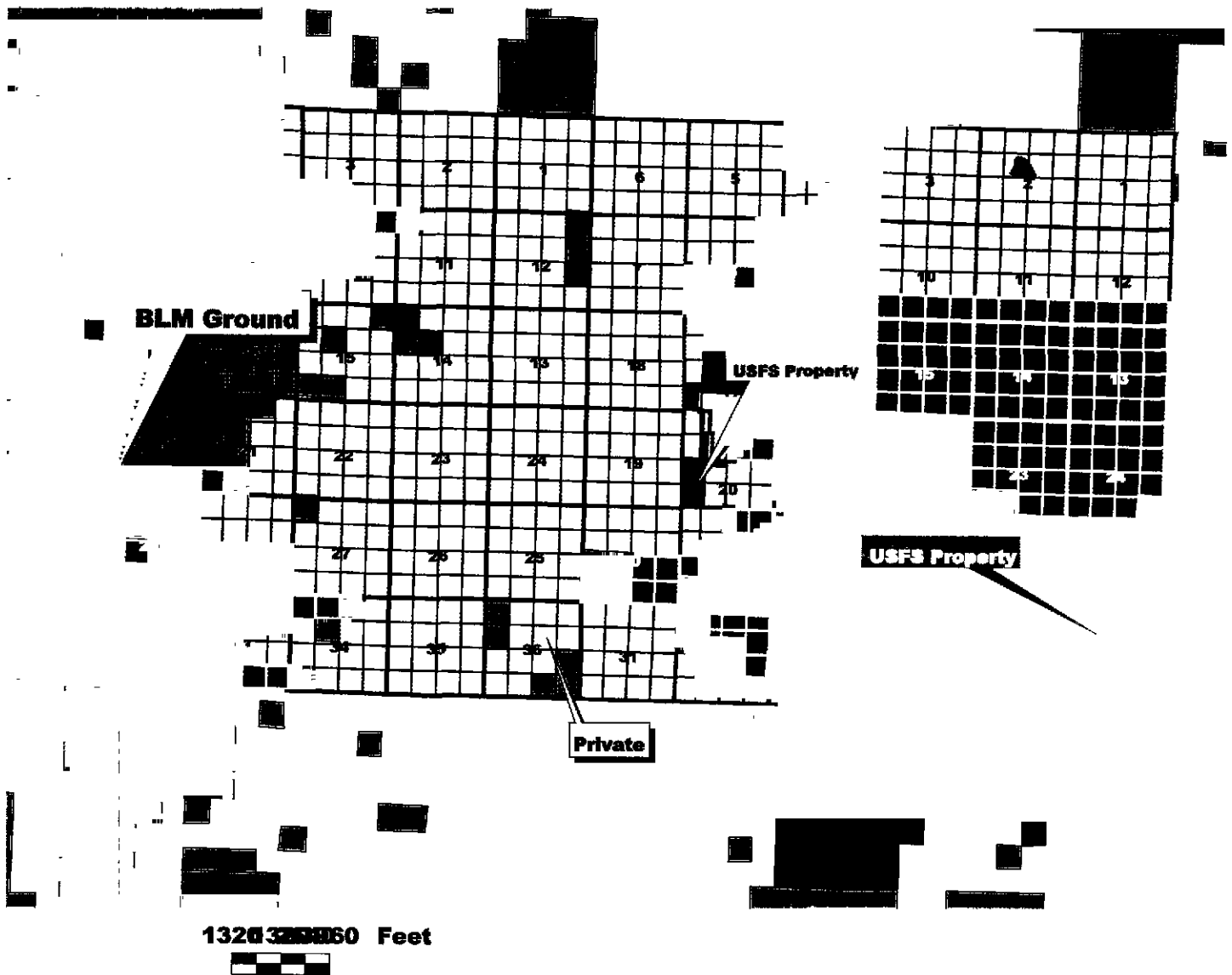
jennaro.jpg

Let me know if you have any questions.

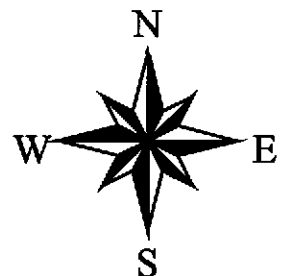
Craig



USFS Objection to Jennaro - 65-17905 & 65-17908



- Recommended POD
- ◻ Recommended POU
- ◻ S10n01e.shp
- ◻ S10n02e.shp
- ◻ T10n01e.shp
- ◻ T10n02e.shp
- ◻ Idown.shp
- ◻ B.L.M.
- ◻ Bureau of Indian Affairs
- ◻ Department of Energy
- ◻ Forest Service
- ◻ Military Reservations
- ◻ National Parks & Monuments
- ◻ Open water
- ◻ Private
- ◻ State of Idaho
- ◻ U.S. Fish & Wildlife Service



Prepared by: Craig Saxton
Date: April 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-17908 V1

WATER RIGHT NUMBER 65-17908 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701
Current Owner	JERALD JENNARO C/O RHONDA JENNARO 4712 AMANDA PL PLEASANTON, CA 94566 (925)484-0406
Current Owner	JOSEPH JENNARO C/O RHONDA JENNARO 4712 AMANDA PL PLEASANTON, CA 94566 (925)484-0406

Priority Date 04/01/1893

Basis Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0 020 CFS	
	<u>Total Diversion</u>	0 020 CFS	

Location of Point(s) of Diversion

SPRING	SE1/4SW1/4NE1/4	Sec 36, Twp 10N, Rge 02E, B.M.
GEM County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	02E	36			X														

Conditions of Approval.

- 1 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 65-17908 V1

- 2 N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO 5444.00 7 STOCKWATER, 50 RANGE CATTLE
- 2 Purpose of IN STREAM STOCK WATER
Use

Comments:

- 1 DUNN1 10/13/1993 COPIED FROM REMARKS
Comment: IN STREAM STOCKWATERING
2. AJU5-JSH 10/3/1997 AJU5 STOCK ONLY UPDATE
Comment USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK IF BLM/USFS, DELETED L12.

Dates and Other Information

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date.
 Defendant:
 Plaintiff
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal:
 Owner Name Connector 0
 Water District Number
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust: False
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: AND

SubCase:

SubCase Number: 65-17908
 Class: 1
 SF5 Filed Date
 Special Master Recom Signed Date.
 Attorney Assigned:
 Adjudication Agent:
 Basis of Claim.
 Date Filed: 1/18/2002 Objection Status. Active

AJ0749NP
No. R65-17908

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/16/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH JENNARD	04/01/1893	STOCKWATER	01-01 12-31	0.020 CFS	
C	JERALD JENNARD					
	4092 GREENOAKS WAY			TOTAL DIVERSION:	0.020 CFS	
	HAYWARD CA 94542					

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T10N R02E S36 SESWNE

GEM County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
10N	02E	36	:			S	:				:				:					:

POU County: GEM

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 5444.00 7
STOCKWATER, 50 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 06/16/2000 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/13/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
IN STREAM STOCKWATERING

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 06/16/00 MSCHULTE

Form 42-1409(a)

**Claimant Acknowledgement of Change in Attorney
in Snake River Basin Adjudication (SRBA)**

RECEIVED**JUL 21 2000**WATER RESOURCES
WESTERN REGION

Name(s) of Claimant (please print):

JERALD JENNARO, JOSEPH JENNARO, J&J RANCHES

I/we acknowledge (check one):

 The attorney formerly representing me has withdrawn and I/we will be
representing myself/ourselves.

 X I/we are now represented by the attorney at the address below.

THOMAS R. LINVILLEEBERLE, BERLIN, KADING, TURNBOW & McKLVEENP O BOX 1368BOISE ID 83701Attorney's Phone 208-344-8535

The SRBA water right claim notice(s) affected by this change are listed below or
on the attached sheet(s).

ALL CLAIMS

For Individuals:

Authorized signature(s) Date 7-16-2000

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received _____

Data Entry _____

EBERLE, BERLIN, KADING, TURNBOW & MCKLVEEN,
CHARTERED

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

FACSIMILE
(208) 344-8542

THOMAS R. LINVILLE
E-MAIL: tlinvill@eberle.com

T. H. EBERLE (1925-1977)

July 20, 2000

Mel Schulte
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

VIA FACSIMILE

Re: *Joseph Jennaro and Jerald Jennaro*
Snake River Basin Adjudication Claim A65-00212A

Dear Mel:

Pursuant to your request at our recent meeting, enclosed please find a facsimile copy of the Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication form executed by Joseph Jennaro. Please cause this form to be filed with the IDWR and SRBA, if necessary. Please forward copies of the IDWR's proposed findings to me when you send the originals to the Jennaros.

Thank you again for your assistance and professional courtesies. Please call if you have any questions.

Very truly yours.



Thomas R. Linville

TRL:ec

cc: Client

AJ5809NP
No. R65-17908

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/14/97
PAGE: 17

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH JENNARO	04/01/1893	STOCKWATER	01-01 12-31	0.02 CFS	
C	JERALD JENNARO					
	4092 GREENOAKS WAY					
	HAYWARD CA 94542			TOTAL DIVERSION:	0.02 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10N R02E S36

SESWNE

GEM County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
10N	02E	36	:				S	:					:					:					:

POU County: GEM

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-17908

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 5444.00 Z
STOCKWATER, 50 BEEF CATTLE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 10/13/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
IN STREAM STOCKWATERING

Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.

AJ5809NP
No. R65-17908

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/14/97
PAGE: 18

=====
Comments: Date: 10/03/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 10/05/93 DUNN1 10/13/93 DUNN1 03/30/95 POST-STD 10/03/97 AJU5-JSH

OLC (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-000-0000

+ - - - STATUS - - - - +

+ - - - - - - - - TRIBUTARY - - - - - - - - - - +
SINKS

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

WATER RIGHT NUMBER - A65-17908

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 01/05/89 HARRINGT

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000	FIELD INSPECTION MADE - 00/00/0000	CIVIL CASE NUMBER - 39576
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG - Y	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 00/00/0000	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 12/01/1938	LAST AMENDED DATE - 00/00/0000	TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000	PROOF MADE DATE - 00/00/0000	WATER DISTRICT -
LICENSED DATE - 00/00/0000	RECEIPT NUMBER - C003701	FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLAG -	POU OWNERSHIP FLAG - Y	PRESUMPTION FLAG -
FEE EXEMPT FLAG -	NAME CONNECTOR - AND/OR	NOTICE OF ERROR FLAG -

5444.00 7

DATA ENTRY

ENTERED 10-12-93 / S
CHECKED 2/14/94 / M

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JUL 28 1992

PROOF
JUN 26 1992

CERTIFIED
AUG 30 1993
WATER EXAMINER

To Western Rgn

Memorandum to File

Date: January 5, 1989

Thru: Jan Shurte

From: Helen Harrington

RE: Jennaro Claims

A65-17885 - 17890 and A65-17892 - 17933

All of the above claims are in stream stockwater use. (The one missing, A65-17891, is a domestic well.)

The first set, A65-17885 through 17890 are considered "in stream", however, I may have been in error when I accepted them. The diversion works say "pond". I have flagged them for field inspection.

A65-17892 through 17903 appear clear cut; diversion works state "in stream" with nothing else in the diversion works.

A65-17904 through A65-17933 should be looked at very closely. The claims initially came in on 11/23/88 with diversion works being tanks, pipes, etc. I spoke with Steve Bradbury, an attorney and suggested that they might consider applying the money to applications for permit since they had not been claimed in the Payette Adjudication. As a result of that conversation, I returned these 30 claims. He was given 30 days to decide. He ultimately returned them, rewritten as being instream. I told him they would be field checked, and the decision was to submit them anyway. They have been flagged for field exam.

Jan - this memo is for your info and to do with what you choose. I haven't made copies for any of the attached claims.

Helen

MICROFILMED

SEP 28 1992

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SOUYRES, JR.
THOMAS R. LINVILLE
RICHARD A. RILEY
JAMES J. DAVIS
JOSEPH H. UBERUAGA II
T. A. BANOUCCI
JOHN MICHAEL BRASSEY
ROBERT L. BERLIN
SCOTT D. HESS
BRADLEY G. ANDREWS
KATHY PERKINS BROOKS
WILLIAM A. FUHRMAN
RICHARD K. LIERZ
NEIL D. MCFEELEY
STEPHEN A. BRADBURY

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

December 29, 1988

T. H. EBERLE (1922-1977)

HAND DELIVERED

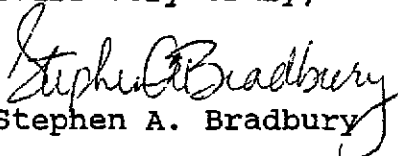
Ms. Helen Harrington
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Dear Ms. Harrington:

Enclosed are thirty Notices of Claim to a Water Right in the name of Jerald Jennaro and/or Joseph Jennaro which are resubmitted pursuant to Mr. Donald V. Shaff's letter of December 5, 1988. Please note that the fees for these claims have previously been paid and are held on account by the Department of Water Resources.

Should you have any questions regarding these claims, please do not hesitate to contact the undersigned directly. Thank you for your continued cooperation and assistance.

Yours very truly,


Stephen A. Bradbury

SAB/rah
Encl.
cc: Jerald Jennaro

MICROFILMED

SEP 28 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

ALB-09009
00193
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201
212
2945
3011
CECIL D. ANDRUS
GOVERNOR 3041A
R. KEITH HIGGINSON 3050
DIRECTOR
3054
3055
3056
3057

December 5, 1988

Valley

Mr. Stephen A. Bradbury
Eberle, Berlin, Kading, Turnbow & Gillespie
P.O. Box 1368
Boise, ID 83701

Dear Mr. Bradbury:

Enclosed are 30 Notices of Claim to a Water Right in the name of Jerald Jennaro and/or Joseph Jennaro which are returned to allow you the opportunity to reconsider their submission as was discussed this morning on the telephone.

The following claims will be processed which were submitted at the same time:

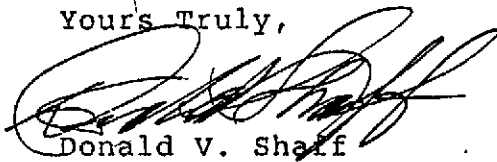
- a. 12 Notice of Claims for instream stockwater use
- b. 1 Notice of Claim for domestic use
- c. 6 Notice of Claims for stockwater use in ponds
- d. 9 Notices of Claims in the name of Homer C. Beal (decreed rights)
- e. 16 Notices of Claim in the name of Jerald and/or Joseph Jennaro (decreed rights).

Also enclosed please find a receipt in the amount of \$1,225.00.

If you resubmit the claims before January 1, 1989, you will not be assessed a late fee; if you decide not to submit the claims, please notify this office regarding a refund.

Please contact Helen Harrington at this office, if you have any questions or I can be of assistance.

Yours Truly,


Donald V. Shaff
Adjudication Section Supervisor

MICROFILMED

SEP 28 1992

Please review & edit
Helen

December 1, 1988

Mr. Stephen A. Bradbury
Eberle, Berlin, Kading, Turnbow & Gillespie
P.O. Box 1368
Boise, ID 83701

Dear Mr. Bradbury:

Enclosed are 30 Notice of Claim to a Water Right in the name of Jerald Jennaro and/or Joseph Jennaro which ~~I am~~ returning to allow you the opportunity to reconsider their submission as we discussed this morning on the telephone. *are ed*

will be
~~I am~~ processing the following claims which were submitted at the same time: *ed*

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me at Ms. Harrington at
Please contact me if you have any questions or I can be of assistance.

Sincerely,

~~Helen Harrington~~



MICROFILMED

SEP 28 1992

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SOUYRES, JR.
THOMAS R. LINVILLE
RICHARD A. RILEY
JAMES J. DAVIS
JOSEPH H. UBERUAGA II
T. A. BANDUCCI
JOHN MICHAEL BRASSEY
ROBERT L. BERLIN
SCOTT D. HESS
BRADLEY G. ANDREWS
KATHY PERKINS BROOKS
WILLIAM A. FUHRMAN
RICHARD K. LIERZ
NEIL D. MCFEELEY
STEPHEN A. BRADBURY

ATTORNEYS AND COUNSELORS AT LAW

CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

November 23, 1988

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

T. H. EBERLE (1922-1977)

RECEIVED

NOV 23 1988

Department

HAND DELIVERED

Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

RE: Notice of Claim to a Water Right

Dear Sirs:

Please find enclosed the following:

- deced*
1. Forty-nine (49) completed Notice of Claim to a Water Right forms (green and white) made under the name of Jerald Jennaro and/or Joseph Jennaro;
 2. Nine (9) completed Notice of Claim to a Water Right forms (black and white) made under the name Homer C. Beal, with attachments showing the new owner and claimants as Jerald and/or Joseph Jennaro; and
 3. Sixteen (16) completed Notice of Claim to a Water Right forms (black and white) made under the name of Jerald and/or Joseph Jennaro.

These Notices of Claim are being filed for Gem County, Valley County and Boise County. Also enclosed is a cashier's check in the amount of \$1,225, representing the required filing fee for the enclosed Notices of Claim.

Should this claim present any problems to you, please do not hesitate to contact the undersigned directly.

Yours very truly,

Stephen A. Bradbury
Stephen A. Bradbury

SAB/rah
Encl.

MICROFILMED

SEP 28 1992

Receipt No: C003701

Received
From: BANK OF AMERICA/JENNARO

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$1,225.00
.	Total	<u>\$1,225.00</u>

CHECK 806543

Idaho Department of Water Resources

Region: State

Signature:

MICROFILMED

SEP 28 1992

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: _65-17908_
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 USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name:	Joseph Jennaro	Jerald Jennaro
Address:	C/O Rhonda Jennaro 4712 Amanda Pl Pleasanton, CA 94566	C/O Rhonda Jennaro 4712 Amanda Pl Pleasanton, CA 94566

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: See E below.

2. ☐ **Source**
Should be:

3. ☐ **Quantity**
Should be:

4. ☐ **Priority Date**
Should be:

5. ☒ **Point(s) of Diversion**
Should be: See E below.

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Places of Use**
Should be: See E below.

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):**

The point of diversion and place of use for this water right as shown in the Directors Report is in the SWNE Section 36, T10N, R02E. This is all National Forest System land. We suspect R02E should be changed to R01E.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

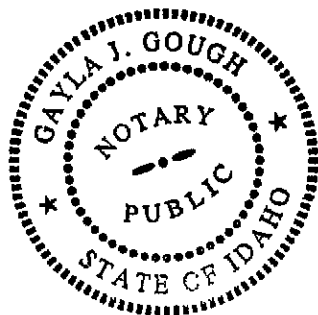
Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

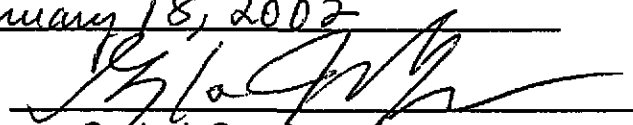
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objections)


(Attorney signing in representative capacity)

Subscribed and sworn before me on: January 18, 2002




Gayla J. Gough

Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

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 1/18/02, 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:

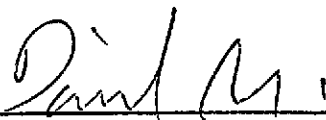
Name:	Joseph Jennaro	Jerald Jennaro
Address:	C/O Rhonda Jennaro 4712 Amanda Pl Pleasanton, CA 94566	C/O Rhonda Jennaro 4712 Amanda Pl Pleasanton, CA 94566

3. Copies to:

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

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney
mailing on Objector's behalf