

POU MAP 65-22411

T9N R01E

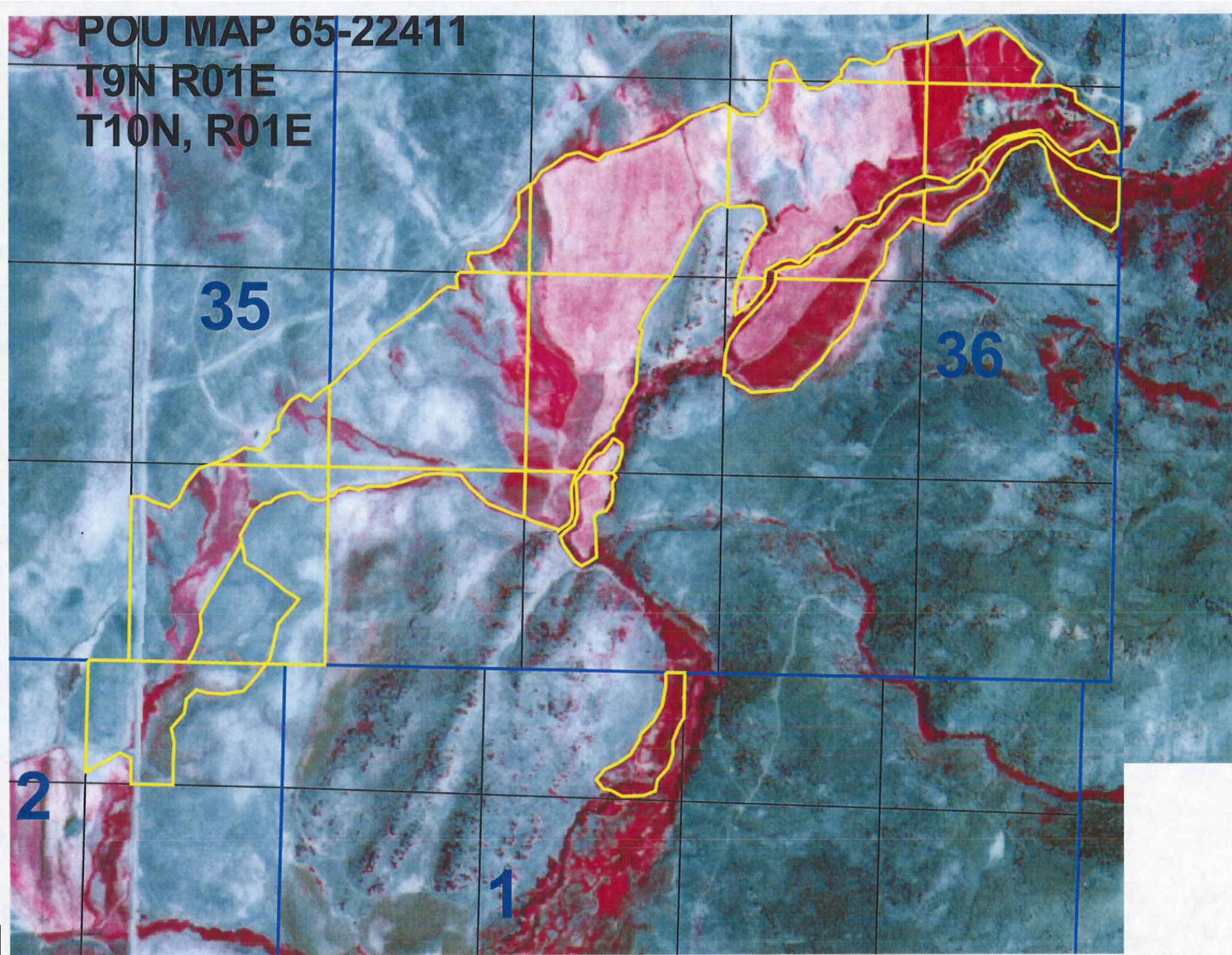
T10N, R01E

35

36

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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 65-22411
Date Received: 5/14/01
Receipt No:
Received By: *ml.*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 15 2001

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

JERALD JENNARO Phone: (925)484-0406

C/O RHONDA JENNARO
4712 AMANDA PL
PLEASANTON CA USA 94566

JOSEPH JENNARO Phone: (925)484-0406

C/O RHONDA JENNARO
4712 AMANDA PL
PLEASANTON CA USA 94566

2. Date of Priority: 11/01/1953

3. Source: LITTLE SQUAW CREEK Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	03E	31	NE NE	VALLEY	
10N	01E	36	SE NE	GEM	R
10N	02E	31	SW NW 2	GEM	R

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
STOCKWATER FROM STORAGE			01/01 12/31	2.7

7. Total Quantity Appropriated is:
2.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	01E	1	NE NW	3	STOCKWATER FROM STORAGE	
09N	01E	2	NE NE	1	STOCKWATER FROM STORAGE	
10N	01E	35	NE SE		STOCKWATER FROM STORAGE	
			SE SE		STOCKWATER FROM STORAGE	
10N	01E	36	NE NE		STOCKWATER FROM STORAGE	
			NW NE		STOCKWATER FROM STORAGE	
			SW NE		STOCKWATER FROM STORAGE	
			SE NE		STOCKWATER FROM STORAGE	
			SW NW		STOCKWATER FROM STORAGE	
			SE NW		STOCKWATER FROM STORAGE	
			NE SW		STOCKWATER FROM STORAGE	
			NW SW		STOCKWATER FROM STORAGE	
			SW SW		STOCKWATER FROM STORAGE	
			SE SW		STOCKWATER FROM STORAGE	
			NW SE		STOCKWATER FROM STORAGE	

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:

ASSOCIATED WITH 65-9539

STOCKWATER, 200 RANGE CATTLE

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 X 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. Elaine Babin Kaduns Turnbow & McKewan, et al., Res

Signature of Claimant(s): *Elaine Babin Kaduns Turnbow & McKewan* Date: 5/15/01

Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this
of May 2001

15th
Melvin F. Schulte

Notary Public

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

RECEIVED

JAN 16 2002

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

) Subcase 65-22411
)
)
)
)
)
)
)

STANDARD FORM 1
OBJECTION

RECEIVED

JAN 18 2002

WATER RESOURCES
WESTERN REGION

NAME AND ADDRESS OF PERSON OBJECTING

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050

Daytime Phone: (208) 334-0200

Name & Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands
Attorney Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
Attorney Phone No. (208) 334-0200
Idaho State Bar # 3453

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Jerald and Joseph Jennaro
Address: c/o Rhonda Jennaro
4712 Amanda Place
Pleasanton, CA 94566

I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: Idaho Department of Lands
954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
2. ☐ **Source**
Should be: As claimed
3. ☐ **Quantity**
Should be: As claimed
4. ☐ **Priority Date**
Should be: As claimed
5. ☐ **Point(s) of Diversion**
Should be: As claimed
6. ☐ **Instream Flow Description**
Should be: As claimed
7. ☐ **Purpose(s) of Use**
Should be: As claimed
8. ☐ **Period of Year**
Should be: As claimed
9. ☐ **Place of Use**
Should be: As claimed
10. **I object because:**
 - ☐ This water right should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

The State of Idaho, through the Idaho Department of Lands, is the owner of a portion of the land upon which use is claimed. This land is State Public School endowment land. This land is more particularly described as the SW¼NW¼ of Section 36, Township 10 North, Range 1 East, Boise Meridian. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be made on such lands.

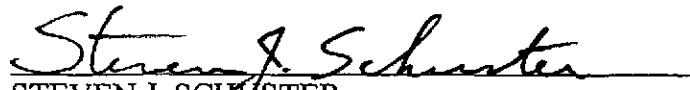
VERIFICATION

State of Idaho)
) ss.
County of Ada)

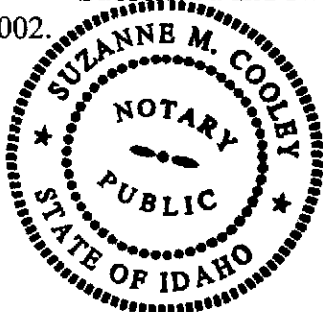
Steven J. Schuster, duly sworn, upon oath, deposes and says:

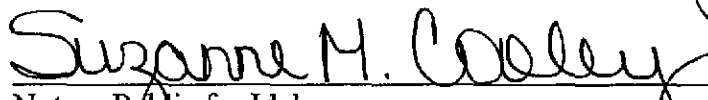
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Subscribed and sworn to before me on this 15th day of January, 2002.




Notary Public for Idaho
Residing at: Boise, ID
My Commission expires: 7-22-2002

CERTIFICATE OF MAILING

I certify that on this 15th day of January, 2002, 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, Idaho 83303-2707

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

Name: Jerald and Joseph Jennaro
Address: c/o Rhonda Jennaro
4712 Amanda Place
Pleasanton, CA 94566

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO 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


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

FEB 14 2002

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

RECEIVED
FEB 19 2002
WATER RESOURCES
WESTERN REGION

Page 1

D. I am responding to the objection(s) to the following elements:

1. X 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

11. Recommendation:

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

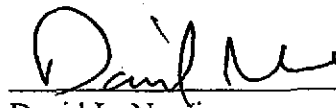
VERIFICATION

State of Idaho)
) ss.
County of Ada)

MICHAEL COLLETTE, duly sworn, upon oath, deposes and says:

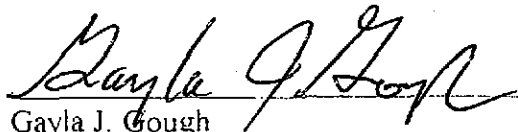
That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.


Michael Collette


David L. Negri
United States Department of Justice

Subscribed and sworn to before me on: February 12, 2001




Gayla J. Gough
Notary Public for: Idaho
Residing at: Kuna, Idaho
My Commission Expires: 11-17-2004

CERTIFICATE OF MAILING

I certify that on February 12, 2002, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original by U.S. Mail to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy by U.S. Mail to the claimant of the water right at the following address:

Jerald and Joseph Jennaro
c/o Rhonda Jennaro
4712 Amanda Place
Pleasanton, CA 94566

3. One copy by U.S. Mail to the party who filed the objection at the following address.

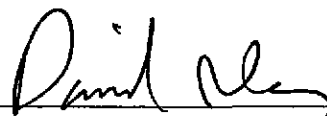
Steven J. Shuster
Deputy Attorney General
Idaho Department of Lands
954 West Jefferson Street
P.O. Box 83720
Boise, Idaho 83720-0050

4. Copies by U.S. Mail to:

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

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

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



David L. Negri

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 65-22411
(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: Jerald Jennaro & Joseph Jennaro c/o Rhonda Jennaro
Address: 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)).

- ☒ **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.

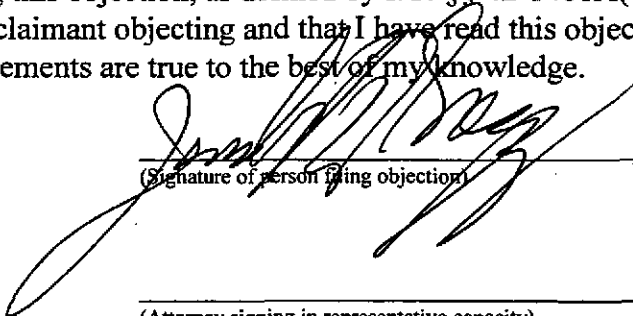
F.

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)

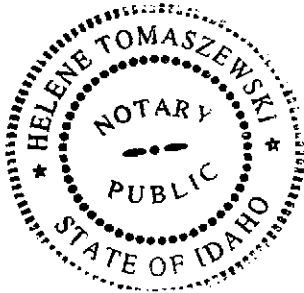
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

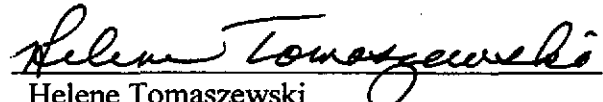

(Signature of person filing objection)

(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: Jerald Jennaro & Joseph Jennaro c/o Rhonda Jennaro

Address: 4712 Amanda Pl.
Pleasanton, CA 94566

3. Copies to:

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P.O. Box 44449
Boise, Idaho 83711-4449

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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

05/21/2001

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

RIGHT NUMBER: 65-22411

NAME AND ADDRESS: JERALD JENNARO
JOSEPH JENNARO
C/O RHONDA JENNARO
4712 AMANDA PL
PLEASANTON, CA 94566

SOURCE: LITTLE SQUAW CREEK TRIBUTARY: SQUAW CREEK

2.7 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO. 65-9539 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 231 AF.

PRIORITY DATE: 11/01/1953

POINT OF DIVERSION:	T10N R01E S36	SENE	Rediversion	Within GEM County
	T10N R02E S31	SWNW	Rediversion	Within GEM County
	T11N R03E S31	NENE		Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER FROM STORAGE	01-01 12-31	2.70 AFY

PLACE OF USE:

<u>STOCKWATER FROM STORAGE Within</u>			
<u>GEM County</u>			
T09N R01E S1	LOT 3	NENW	T09N R01E S2 LOT 1 NENE
T10N R01E S35		NESE	T10N R01E S35 SESE
T10N R01E S36		NENE	T10N R01E S36 NWNE
T10N R01E S36		SWNE	T10N R01E S36 SENE
~~T10N R01E S36~~		~~SWNW~~	T10N R01E S36 SENW
T10N R01E S36		NESW	T10N R01E S36 NWSW
T10N R01E S36		SWSW	T10N R01E S36 SESW
T10N R01E S36		NWSE	

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER, 200 RANGE CATTLE

ASSOCIATED WITH 65-9539

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 65-22411

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

Priority Date: 11/01/1953
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary to</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER FROM STORAGE	01/01	12/31		2.7 AFA	
Total Diversion				2.7 AFA	

Location of Point(s) of Diversion:

LITTLE SQUAW CREEK	SENE	Sec. 36	Township 10N	Range 01E	GEM County
Rediversion					
LITTLE SQUAW CREEK	SWNW Lt 2	Sec. 31	Township 10N	Range 02E	GEM County
Rediversion					
LITTLE SQUAW CREEK	NENE	Sec. 31	Township 11N	Range 03E	VALLEY County

Place(s) of use:

Place of Use Legal Description: STOCKWATER FROM STORAGE									GEM County					
<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09N	01E	1	3	NENW										
		2	1	NENE										
10N		35		NESE			SESE							
		36		NENE			NWNE			SWNE			SENE	
				SWNW			SENE							
				NESW			NWSW			SWSW			SESW	
				NWSE										

Remarks:

1. ASSOCIATED WITH 65-9539
 STOCKWATER, 200 RANGE CATTLE

C18 + N11 + N13 + N05

Dates:

Licensed Date:
 Claim Received Date:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 65-9539

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

Priority Date: 11/01/1953
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary to</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION FROM STORAGE	4/01	11/01		231 AFA	
Total Diversion				231 AFA	

Location of Point(s) of Diversion:

LITTLE SQUAW CREEK	SENE	Sec. 36	Township 10N	Range 01E	GEM County
Rediversion					
LITTLE SQUAW CREEK	SWNW Lt 2	Sec. 31	Township 10N	Range 02E	GEM County
Rediversion					
LITTLE SQUAW CREEK	NENE	Sec. 31	Township 11N	Range 03E	VALLEY County

IRRIGATION FROM STORAGE Use:
Acre Limit: 212

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE									GEM County					
<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09N	01E	1	3	NENW	5									
		2	1	NENE	4									
10N		35		NESE	4		SESE	29						
		36		NENE	3		NWNE	2		SWNE	37		SENE	22
				SWNW	1		SENE	23						
				NESW	20		NWSW	30		SWSW	9		SESW	9
				NWSE	14									

Total Acres: 212

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.

Remarks:

1. Quantity THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02945 & 65-10473 SHALL PROVIDE NO MORE THAN 3.5 AF PER ACRE.
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE:
65-02945 THE STORAGE FACILITY IS KNOWN AS HOLBROOK RESERVOIR.
WATER IS DELIVERED THROUGH AND REDIVERTED FROM LITTLE SQUAW CREEK.

Dates:

Licensed Date:
Claim Received Date: 11/23/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 01/21/1986
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s): X999999
State or Federal: S
Owner Name Connector: AND
Water District Number: 65
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

