

*Attached to Standard 1 Objection Form
E. Reasons for Supporting Objection*

Cory Lamb
2026 South Grant
Pocatello, ID 83204

Ref. 29-4335

May 5, 2005

To Whom it May Concern,

When I purchased the property of Arnold and Berneice Trappett I immediately sent the change of ownership information to IDWR along with the \$25.00 filing fee. I then received a notice stating:

Status: disallowed NO LAWFUL APPROPRIATION SHOWN

The reason for this was unclear.

It looks like the change in ownership was made but the water right was disallowed. I was advised at that time to get a statement from a neighbor who could verify the history of water rights and water use by the previous owner Arnold Trappett, and was told that there would not be a problem in getting this resolved.

Marjorie Strawn was the logical choice for a statement. She had been a neighbor to Trappetts for over 60 years and knew the history of the neighborhood. Her property was adjoining that of Trappetts and she had a good relationship with everyone in the area. Strawn had frequent contact with Trappetts over the years. It was known to Marjorie Strawn that the water from Cusick Creek was being diverted by Trappett to irrigate his pasture. In fact, she chose not to file for a claim on Cusick Creek to make it easier for Trappett to do it.

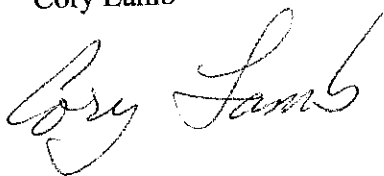
I sent the statement given by Marjorie Strawn to IDWR and was surprised when again this year the recommendation for this water right was disallowed. After speaking again with Ernie in the Idaho Falls office of IDWR. He indicated again that this shouldn't be a problem and he sent the Standard Objection 1 forms to me.

I am also sending a statement of my personal knowledge of the Cusick Creek water use by Trappett. It seems as though it is Trappetts USE of the water that is in dispute and not the water right itself; since his water right was established with a priority date of March 1, 1942 and his records show several updates and claims were made to keep current.

I am sending the Standard Form 1 objection as required. I hope this covers what is needed for the change in ownership of the water right from Trappetts name to mine as well as the change of status for this claim from disallowed to allowed. I have sent everything that has been requested and appreciate your efforts to make the changes needed for this water right to be allowed, and allowed in my name.

The most recent papers I received saying this was disallowed also said: "You may want to hire an attorney". I will only do that if I have to. I am hoping this will take care of it. I would appreciate your help in the matter. Thank You.

Cory Lamb



May 4, 2005

I, Cory Lamb, have personal knowledge that Arnold Trappett and Berneice Trappett diverted water from Cusick Creek as is claimed in water right 29-4335.

Cusick Creek runs inside the property boundaries and through the pasture for the entire length of the property. It is the only water source available to the pasture.

When I purchased this property from Trappetts in June 2004 the water right was included and essential to the purchase. I was provided with documents showing claims Trappett had on the Cusick Creek water since his priority date of March 1, 1942. Trappett made every effort to protect and retain this claim. He kept it current because he needed and used the water.

The record of the water right is documented but apparently it is the USE of the water that needs to be verified. However, it wouldn't make sense for Trappett to make the effort to secure a claim to the water if he didn't use the water. It was well known in our small neighborhood that Trappett diverted water from the creek to irrigate his pasture. There wasn't ever a question as to whether he used the creek, it ran right through the pasture and he had the water right.

I have lived in this neighborhood all of my life and have known Trappetts for as long as I can remember. The neighborhood was established by Lamb Dairy whose owner was my grandmother. Since the 1950's I was a frequent visitor to the Trappetts. During my growing up years I spent a lot of time playing near Cusick Creek and year after year Trappett worked on his land irrigating his pasture by diverting water from Cusick Creek.

It is because of this history that I have personal knowledge that Trappett exercised his water right of Cusick Creek. I was there and saw it.

I know this to be true. Trappetts used the water right up until the 2004 season when I purchased their property and filed for a change in ownership of the claim.

Cory Lamb

