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APR 13 2006

DEPARTMENT OF
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)

A. Subcase

74-51

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Richard E. Foster

Address:

28 Adams Ranch Road

P.O. Box 55 Leadore, ID 83464

Daytime Phone:

208-768-2406

Name & Address of Attorney, if any:

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

Name:

Same as above

Address:

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: _____
3. ☒ **Quantity**
Should be: 6.4 CFS
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
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.

E. REASONS SUPPORTING OBJECTIONS(S):

are, That we,
on an average, only have water for
about 2 mos. and part of that time it's not
a full right. we flood irrigate and as you can
see by our production indicated on enclosed
chart, it is important that we have a full 6.4 cfs

SR-1 Objection
Amended 10/16/97

For the short time we have water. we concentrate
most of the water on our Hay ground. about 120 acres
with 400 water - we water another 80 acres pasture as well
Page 2

long as it lasts. some years we only have our
right - for 30 days we need the full 6.4 cfs. To get
over anything at all on these years.

Keep in mind that because we
Flood irrigate, use sheep & cattle to manage
weeds, and Haven't Fertilized our ground
with anything but manure, The runoff
going into The hemh; off the place helps keep
some water in that ^{River}. Good quality water.
We don't over farm
This ground and with The exception of being low
in copper, Zinc phosphorus. + high in Molybdenum
our ~~days~~ tests out pretty good.

F.

VERIFICATION (must be completed)

State of Idaho)

County of Lemhi) ss.

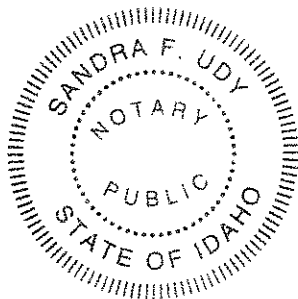
Richard E Foster, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Richard E Foster
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 27 2006



Sandra F. Udy
Notary Public for _____
Residing at: Boise Idaho
My Commission Expires: 09/18/2008

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 April 10, 2006, 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:

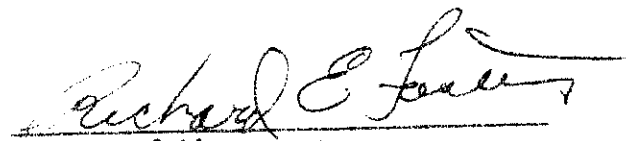
Name: Richard E Foster
Address: P.O. Box 55
Headsprings Id. 83467

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

Water Consumption & Crop Yield

Richard E. Foster Ranch - Leadore TP

Year	Turnon	Turnoff	Tons Hay	Notes
2005	5/17	7/16	74	Some spring moisture
2004	5/26	7/2	15	
2003	5/23	6/23	58	water fluctuated all June
2002	5/22	7/2	55	
2001	5/13	6-18	30	
2000				
1999	5/12	7/12	51	
1998	5/5	8/14	55.39	
1997	5-11	8/17	111	
1996				
1995				
1994	5-14	6-12	31.50	
1993	5-12	8-14	89.74	
1992			34.68	
1991			70	Spring moisture
1990	5-23	7-22	64	

Big Timber Creek.

Attachment 2



BIG TIMBER CREEK Richard FOSTER WATER USAGE - CFS

Prepared By	Date
Approved By	

	APRIL 30	MAY 31	JUNE 30	JULY 31	AUG	YEARLY TOTAL CFS
1	1410	5760	14220			1410
2	1910	1700	1940	1980		9160
3	1910	1700	7600		1020	3530
4	1910					3530
5	1910					3530
6	1910					16700
7	1910					52130
8	1910	11620	14600	1500		52200
9	1910	5600	13605	16500		44905
10	1910	15960	19200	19820		56900
11	1910	4800	14600	7000		51000
12	2000	6100	15500			21920
13	2001	12100	7900			30000
14	2005	6400	17300			33120
15	2007	3910	15060			16110
16	2007	5080	12400	960		28240
17	2007	9600	13200	8100		37700

> 100000
Payment

Attachment 2

Attachment 3



United States Department of Agriculture
Farm Service Agency

FSN 260 T 379

Grid:

LEMHI/NORTH CUSTER

1:9,160



November 03, 2005

01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-51

NAME AND ADDRESS: RICHARD E FOSTER
PO BOX 55
LEADORE ID 83464

SOURCE: BIG TIMBER CREEK

TRIBUTARY: LEMHI RIVER

QUANTITY: 5.780 CFS

PRIORITY DATE: 06/07/1909

POINT OF
DIVERSION: T15N R26E S5 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	5.780 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R26E S33	NESE	40.00	T16N R26E S33	NWSE	38.00
T16N R26E S33	SESE	40.00	T16N R26E S34	SWSW	40.00
T16N R26E S34	SESW	37.00			

195 ACRES TOTAL

This right authorizes the irrigation of 195.4 total acres.

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