



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 27, 2006

Dear Basin 69 Water User:

It has recently come to the Department's attention that a clerical error was made in the recommendation for your water right no. 69-11504. In order to correct this clerical error, the Department is requesting that you review and complete the enclosed Standard Form 1 Objection Form ("SF1") and return it in the self-addressed stamped envelope that is enclosed for your convenience. If you would like to object to any other element, or to the elements marked for some other reason, you may do so on the enclosed form as well.

I am also enclosing a Standard Form 5 ("SF5"). The SF5 is the document required by the Snake River Basin Adjudication ("SRBA") Court to settle water right disputes and contains a revised recommendation in underline/strikeout format that illustrates which elements should be changed or added to your water right. If the SF5 meets your approval, please sign the document on the designated signature lines, **initial the revised recommendation where the change appears**, and return the SF5 in the enclosed self-addressed stamped envelope. We will obtain the appropriate IDWR signatures, file the original with the SRBA District Court, and serve copies upon the appropriate parties.

The enclosed objection form must be received by the SRBA District Court prior to May 26, 2006, so your prompt attention to this matter is greatly appreciated.

If you have any questions you can contact Michael Ciscell at the State Office at 287-4915.

Again, thank you for your prompt cooperation.

Very Truly Yours,

Donald V. Shaff
Adjudication Bureau Chief

Enclosures

cc: Michael Ciscell

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 69-11504
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Deborah Davis
Dennis Edwards
Address: 4150 Landore Rd.
Council, ID 83612
Daytime Phone: (208) 258-4424

Name & Address of Attorney, if any:

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

Name: Deborah Davis
Dennis Edwards
Address: 4150 Landore Rd.
Council, ID 83612

:

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: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) 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 OBJECTION(S):** _____

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of _____)

_____, 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: _____

Notary Public for _____

Residing at: _____

My Commission Expires: _____

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 _____, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Deborah Davis
Dennis Edwards
4150 Landore Rd.
Council, ID 83612

3. Copies 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 and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Signature of Objector or attorney mailing on Objector=s behalf

**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	)	Subcase No. 69-11504
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

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

CLAIMANT(s)/OBJECTOR(s):

Dennis Edwards Date

Deborah Davis Date

IDWR Concurrence:

Michael Ciscell Date
IDWR Senior GIS Analyst

Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

04/27/2006

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

RIGHT NUMBER: 69-11504

NAME AND ADDRESS: DENNIS EDWARDS
4150 LANDORE RD
COUNCIL ID 83612

DEBORAH DAVIS
4150 LANDORE RD
COUNCIL ID 83612

SOURCE: BEAR CREEK

TRIBUTARY: WILDHORSE RIVER

QUANTITY: 0.460 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1901

POINT OF
DIVERSION:

T20N R03W S13 SENESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.440 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T20N R03W S26	SENE	2.10	T20N R03W S26	NESE	5.00
T20N R03W S26	NWSE	0.10			
STOCKWATER Within ADAMS County					
T20N R03W ~~S25~~ S26	NWSE		T20N R03W S26	SENE	
T20N R03W S26	NESE				

7.2 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 100 range cattle.

This right is a split from former right 69-4011.

CERTIFICATE OF MAILING

I certify that on _____, 2006, I mailed the original and copies of this form, 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, Idaho 83303-2707

2. Copies to:

Dennis Edwards
Deborah Davis
4150 Landore Rd.
Council, ID 83612

IDWR Repository
P.O. Box 83720
BOISE, ID 83720-0098

Signature of person or attorney mailing the form