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MAY 30 2006

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)

A.)

Subcase

74-605A

(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: Robert & Nola Barningham
Address: 10 Beehive LN
Salmon, ID 83467
Daytime Phone: 208-756-4630

Name & Address of Attorney, if any:

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

Name: Robert G Barningham / Nola Barningham
Address: 10 Beehive LN
Salmon ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address** Robert G Barnwingham/Nola Barnwingham
Should be: 10 Beehive LN, Salmon, ID 83467
2. ☐ **Source**
Should be: Lemhi River
3. ☐ **Quantity**
Should be: 0.16 CFS
4. ☐ **Priority Date**
Should be: 3/18/1878
5. ☐ **Point of Diversion**
Should be: DIV 2-8A (Lemhi River NWNW Sec. 33 Township 21N Range 23E Lemhi Co.)
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: N/A
7. ☐ **Purpose(s) of Use**
Should be: Irrigation
8. ☐ **Period of Year**
Should be: 3/15 To 11/15
9. ☐ **Place of Use**
Should be: T 21N R 22E Sec 24 SESE 17 acres Tract
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):** See Attached sheet

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Lemhi)

Nola Barningham

Robert G. Barningham

(Name of person filing objection)

duly sworn, upon oath, deposes and says:

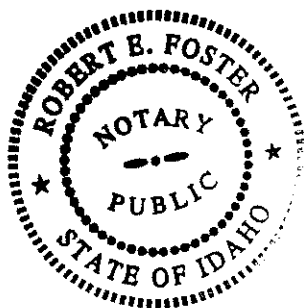
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Robert G. Barningham
Nola Barningham
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 19, 2006



Robert E. Jacob

Notary Public for Idaho

Residing at: Salem, OR

My Commission Expires: 2-16-07

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 5/24, 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: Self we kept a copy (Barninghams)
Address: 10 Beehive LN
Salmon 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

Alex Barningham
A. Barningham
Signature of objector or attorney
mailing on Objector's behalf

We believe and have since we purchased the property in 1996 that we had a water right. All papers during the real estate transaction showed this. We also believe the right was sold with the property to Nell and Stacy Hartley, by Herbert and Katherine Aldous. The Hartleys then sold to Bardel Faux . Mr Faux was a federal employee and relocated. We then purchased said property and right from a relocation mortgage company.

Don't recall just when, think it was in 1997or1998, an employee from water resources paid us a visit asking about water rights. In discussion he brought up right #74-7067 (irrigation well). When we stated we wernt interested in keeping that right, as we intended to use flood water from the Lemhi River (right # 74-605A), there was no indication from him that we had no right # 74-605A, pursuant to not having been reported during adjudication. Had he stated so we would never have let right # 74-7067 expire.

We also believe by researching through the county records water taxes were paid back in the early 1900s, prior to Aldous ownership of said property, also water maps through the water resources office show ditches going through the property.

Thanks for your consideration on this matter.

ROBERT AND NOLA BARNINGHAM

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

12/22/2005

WATER RIGHT NO. 74-605A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NOLA BARNINGHAM
Current Owner	ROBERT G BARNINGHAM 10 BEEHIVE LN SALMON, ID 83467 (208)756-4630
Original Owner	NELL HARTLEY
Original Owner	STACY M HARTLEY 10 BEE HIVE LN SALMON, ID 83467-5028 (208)756-3153
Original Owner	HERBERT ALDOUS
Original Owner	KATHERINE ALDOUS RT 1 SALMON, ID 83467

Priority Date: 03/18/1878

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LEMHI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.16 CFS	
Total Diversion			0.16 CFS	