

a

... ..

Page 1

2. ☒ Source (See Ex. A)
3. ☒ Quantity (See Ex. A)
4. ☒ Priority Date (See Ex. A)
5. ☒ Point(s) of Diversion (See Ex. A)
6. ☐ Instream Flow Description
7. ☒ Purpose(s) of Use (See Ex. A)
8. ☒ Period of Year (See Ex. A)
9. ☒ Place of Use (See Ex. A)
10. ☒ **I object because:** (See Ex. A)

☐ 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):

The water right was previously decreed in the *Stoner v. Willhite* decree. The water right was conveyed to Tugaw Ranch when Mr. Tugaw purchased portions of the Dry Creek Ranch in 1963 and 1979. Mr. Tugaw has continuously diverted and used water pursuant to this water right since 1963 and 1979. The water right should be decreed as claimed in the SRBA. See Ex. A.

VERIFICATION

State of IDAHO)
) ss
County of Twin Falls)

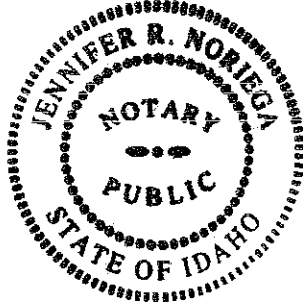
TRAVIS L. THOMPSON, duly sworn, upon oath, deposes and says:

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 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]
Travis L. Thompson
Barker Rosholt & Simpson LLP

Attorneys for Respondents

Subscribed and sworn to before me on: July 18, 2006



(seal)

[Signature]
Notary Public for: Idaho
Residing at: *Twin Falls*
My Commission Expires: *08.17.2011*

CERTIFICATE OF MAILING

I certify that on July 18, 2006, I mailed the original and copies of this response, including all attachments, to the following persons:

1 Original to:

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

2 One copy to the claimant and objector:

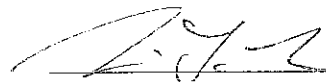
Tugaw Ranch
c/o Joe Tugaw
3277 Woodridge Dr.
Twin Falls, Idaho 83301

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 & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Travis L. Thompson

EXHIBIT “A”

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

45-487A

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

FILED
DISTRICT COURT - SRSA
TWIN FALLS CO., IDAHO
2005 OCT 27 PM 1:33

Please type or print clearly

1. Name of Claimant (s) TUGAW RANCH Phone (208) 734-7511

Mailing Address c/o Joe Tugaw, 3277 Woodridge Dr., Twin Falls, ID Zip 83301

2. Date of Priority (Only one (1) per claim) 3/1/1879

3. Source of water supply (a) Dry Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 12S Range 19E Section 24,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Cassia

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

A ditch diverts water from Dry Creek into a holding pond that distributes the
water through a booster pump and gravity system.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 3/15 to 11/15 amount 0.56 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.56 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

PLACE OF USE: IRRIGATION WITHIN CASSIA County

T12S R19E S01 Lot 2 NWNE	34.0	T12S R19E S01	SWNE	38.0
T12S R19E S01 Lot 3 NENW	38.0	T12S R19E S01	SENE	38.0
T12S R19E S01	NESW	T12S R19E S01	SESW	36.0
T12S R19E S01	NWSE	T12S R19E S01	SWSE	6.5
T12S R19E S12	NWNE	T12S R19E S12	SWNE	6.1
T12S R19E S12	NENW	T12S R19E S12	SENE	34.0
T12S R19E S12	NESW	T12S R19E S12	SESW	31.0

Total number of acres irrigated 402.8

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
45-487B; 45-491; 45-492; 45-493; 45-495; 45-496B; 45-2449; 45-2486; or None ()
45-13622

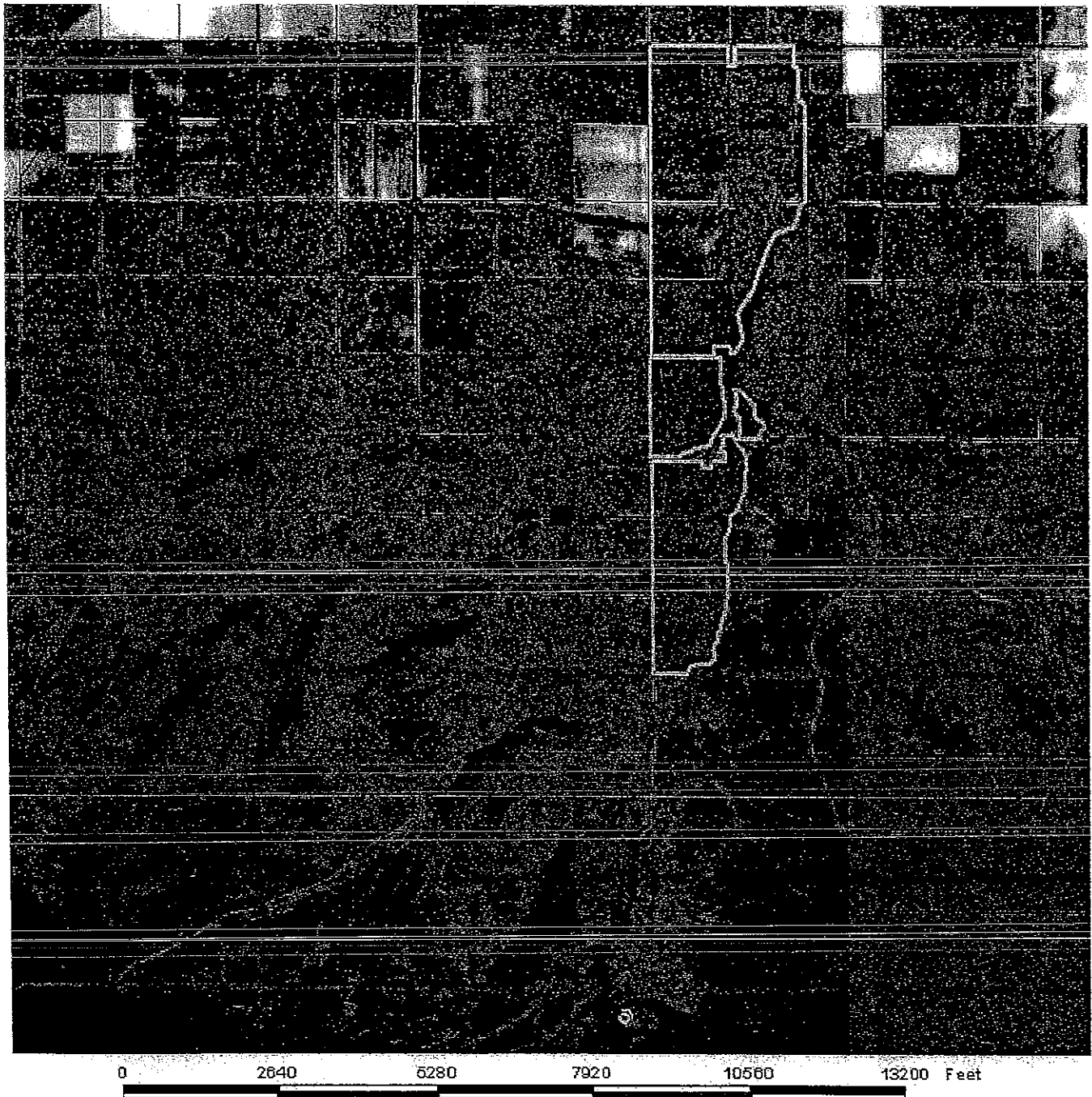
14. Remarks: Use of this right with Right No. 45-13622 is limited to the irrigation
of a combined total of 102.5 acres in a single irrigation season
within the permissible place of use above.

Last Name IUGAW Ident No. 45-487A

Idaho Department of Water Resources

RIGHTS: 45-487B, 45-491, 45-492,
45-493, 45-496B, 45-13622

RECOMMENDED PLACE OF
TWP 12S, RNG 19E,



© RECOMMENDED POINT OF DIVERSION

http://www.idwr.idaho.gov/apps/ExtSearch/DocsImages/360901_TIF

10/25/2005

15 Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 45-487A
Court Twin Falls District Court Case Number 7475 Decree Date Mar. 28, 1942
Plaintiff vs Defendant Stone v. Willhite

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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____

Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct

Signature of Authorized Agent _____

Title and Organization _____

Date _____

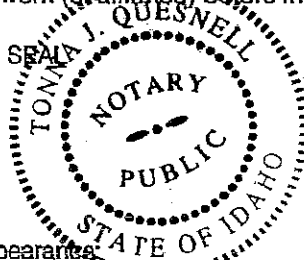
State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this _____

27

day of October

2005



Notary Public _____

Residing at _____

Kimberly, ID

My Commission Expires _____

9/28/11

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, Lewis L. Thompson will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

P.O. Box 485 Twin Falls, ID 83303-485

Date _____

10/27/05

Last Name IUGAW Ident. Number 45-487A