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APR 25 2007

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 47-4166A

(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: TERRY G. AND /~~M~~ CONNIE BLAU

Address: 2997 April Drive

~~Twin Falls Idaho 83301~~

Daytime Phone: ~~208-733-6008~~

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: _____
4. ☒ **Priority Date**
Should be: April 29 1939
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. 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): Mr. Adolph Shroeder recieved patent i
said land on April 29, 1939. In order to receive patent he was required to
~~cultivate the the land for up to five years. In this arid elimate the~~
~~production of a crop requires irrigation. Hisnext door neighbor attests~~
~~that sugar beets were raised . These definitely require water. In addition~~ M
Turner the neighbor has submitted an affidavit that states that
he was familiar with irrigationat least as early as 1939.

F.

VERIFICATION (Must be Completed)

State of Idaho
County of Twin Falls) ss.

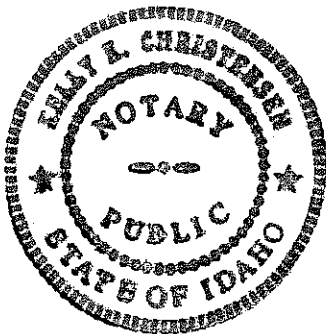
Terry Blau, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Terry Blau
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Apr 24, 2007



Kelly A Christensen
Notary Public for IDWR
Residing at: Twin Falls Id
My Commission Expires: 4-2-2010

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 24, 2007, 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: Terry Blau
Address: 2997 April Drive Twin Falls Idaho 83301

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO 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

Attachment to
Claim A47-04166A

TWIN FALLS COUNTY, IDAHO

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MAR 15 1935

Department of Water Resources
Southern Region

Instrument No 300180

Blackfoot 047524

4-1040

THE UNITED STATES OF AMERICA

To all to whom these presents shall come, Greeting;

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Adolph E Schroeder has been established and duly consummated, in conformity to law, for the northwest quarter of the southeast quarter of Section fourteen in Township nine south of Range fourteen east of the Boise Meridian, Idaho, containing forty acres, according to the Official Plat of the Survey of the said Land, on file in the General Land Office:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States all the oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat 509). This entry is made under Section 29 of the Act of February 25, 1920 (41 Stat 437) and the patent is issued subject to the rights of prior permittees or lessees to use so much of the surface of said lands as is required for mining operations, without compensation to the patentee for damages resulting from proper mining operations.

IN TESTIMONY WHEREOF, I, Franklin D Roosevelt, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the fourteenth day of February in the year of our Lord one thousand nine hundred and thirty-eight and of the Independence of the United States the one hundred and sixty-second.

(United States General Land Office)

Recorded: Patent Number 1095562

By the President: Franklin D Roosevelt

By Jeanne - Cavanagh, Secretary

Evelyn S Adams, Recorder of the
General Land Office

Filed for record at the request of A E Schroeder at 10:00 A M April 29, 1939.

Fee \$1.00 Paid

MH

Walter C Musgrave

Recorder

M.

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MAR 15 1995

IN THE MATTER OF:

A 47-04166A

Department of Water Resources
Southern Region

AFFIDAVIT

State of Idaho

County of TWIN Falls

Robert L. Turner

being first duly sworn, deposes and

says: That he is famdian with diversion and use of
Water ON Twp. 9S Rge 14E Sec. 14 NW 1/4 SE 1/4. Now
Known as Lots 68, 69, 6, 10, C 11. I Remember when
Adolph Schroeder, who homesteaded the property raised
Sugar beets. We lived 1/4 mile East of Mr. Schroeder's
Property. My Family moved to Melon Valley IN 1922
I left The Area in about 1930 and returned in about
1939. To the best of my knowledge Memory
Mr. Schroeder was using the water on his
Property when we returned to the Area. To my
the best of my knowledge it has been used there since
About 1939.

Betty D. Kimber

(signature)

On this 1st day of March, in the year of 1995

personally appeared ROBERT L. TURNER known or
identified to me to be the person whose name is subscribed to the
within instrument and acknowledged to me that he executed the same.

Betty D. Kimber (notary public) My commission expires

Residing at Buhl, Idaho

9/18/97
MICROFILMED
NOV 29 1995