

a
RECEIVED
OCT 22 2004
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)

Case No. 39576)
_____)

A. Subcase 75-4333
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: David M McFarland

Address: P.O. Box 125
Carmen ID 83462

Daytime Phone: 208-756-3752

Name & Address of Attorney, if any:

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

Name: Carmen Land & Livestock Inc

Address: P.O. Box 124
Carmen ID 83462

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: 7.14 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: from 4/1 to 11/15
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): Attachments

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 Oct 16 + 17, 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: Carmen Land & livestock
Address: P.O. Box 125
Carmen ID 83462

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

Dave McFarland
Signature of objector or attorney
mailing on Objector's behalf

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
 County of Lenhi)

David M McFarland, duly sworn, upon oath, deposes and says:
 (Name of person filing objection)

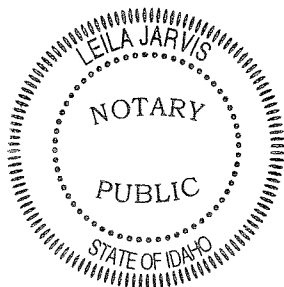
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

David M McFarland
 (Signature of person filing objection)

 (Attorney signing in representative capacity)

Subscribed and sworn to before me on: 10-16-2007

Leila Jarvis
 Notary Public for Down & Country Realty
 Residing at: 534 Main St Salmon, Id.
 My Commission Expires: 10-6-2011



Idaho Fish & Game measurements

② Attachment

POD Name	UTM NAD27 Zone	Easting	Northing	Measured Flow (cfs)	Date of Measurement
SCC-01	12	273915	5013828	4.42	6/13/2006
SCC-01A	12	273915	5013828	N/A	
SCC-02	12	274024	5013917	1.91	6/13/2006
SCC-02A	12	274209	5013994	N/A	
SCC-03	12	274720	5014283	8.59	6/13/2006
SCC-04	12	275383	5014713	9.84	6/13/2006
SCC-05	12	275819	5015056	N/A	
SCC-06	12	277024	5015845	22.83	6/13/2006
SCC-07	12	277915	5016158	3.19	6/13/2006
SCC-08	12	278327	5016688	N/A	
SCC-09	12	278402	5016722	11.30	6/13/2006
SCC-10	12	279353	5018381	N/A	
SCC-11	12	279340	5018479	14.96	6/13/2006
SCC-12	12	279929	5019325	4 cfs estimated	
SCC-13	12	280240	5020450	8 cfs estimated	
SCC-14	12	280315	5021365	8 cfs estimated	
SCC-15	12	280649	5021788	5 cfs estimated	
SCCFC-01	12	279603	5017530	9.29	6/15/2006
SCCFC-02	12	280797	5017507	2.37	6/15/2006
SCCFC-03	12	281900	5017214	2.20	6/15/2006
SCCFC-04	12	282633	5016479	N/A	
SCCFC-05	12	283549	5016310	2.15	6/15/2006
SCCFCDC-01	12	280478	5018308	N/A	
SCCFCDC-02	12	281029	5018764	N/A	
SCCFCDC-03	12	281456	5018923	0.81	6/16/2006
SCCFCDC-04	12	281804	5019218	1.14	6/16/2006
SCCFCDC-05	12	281986	5019496	1.60	6/16/2006
SCCFCDC-06	12	281996	5019503	2.96	6/16/2006
SCCFCDC-07	12	282286	5019851	4.35	6/16/2006
SCCFCSC-01	12	282234	5017864	1.08	6/15/2006
SCCFCSC-02	12	282412	5018108	2.09	6/15/2006
SCCFCSC-03	12	282521	5018626	1.11	6/16/2006
SCCFCSC-04	12	282668	5018791	2.57	6/16/2006
SCCFCSC-05	12	282737	5018907	3.29	6/16/2006
SCCFCSC-06	12	282817	5018960	2.63	6/16/2006
SCCFCGG-01	12	283139	5016728	1.16	7/5/2006
SCCFCGG-02	12	283469	5017044	1.91	7/5/2006
SCCFCGG-03	12	283595	5017159	0.91	7/5/2006
SCCFCGG-04	12	284958	5018029	N/A	
Instream Base Flows:					
CC TOP	12	281024	5022450	63.42	6/23/2006
CC AT FC	12	279211	5017560	36.11	6/23/2006
CC ABV S-09	12	273049	5014178	28.82	6/23/2006
FC TOP	12	284066	5016339	12.61	6/23/2006
FC AT CC	12	279223	5017533	16.66	6/23/2006

* POD (point of diversion) used on 75-4333

Reasons for Objections to Water Right 75-4333

1. Lemhi County Assessment Notices record 298.5 acres irrigated or meadow influenced by irrigation versus 261.5 acres identified in Directors report.
2. Data from Idaho Fish & Game shows flow of 14.96 cfs in just one of the three diversions used by this water right.
3. Historically water has been used until freeze-up to increase forage yields the following year. Freeze-up is generally November 10 through November 25.

2006

THIS IS NOT A BILL.
DO NOT PAY.

ASSESSMENT NOTICE

& ESTIMATE OF TAX

75-4333

PARCEL DESCRIPTION:

SE4SE4.
34 23 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 23N22E349000 A

ASSESSED VALUE OF YOUR PROPERTY					
CURRENT CATEGORY AND DESCRIPTION		LOTS/ACRES		LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1	IRRGTD AG	17.000	AC	16,983	13,566
5	DRY GRAZING	23.000	AC	1,219	1,150
SUBTOTAL:		40.000		18,202	14,716
LESS HOMEOWNERS EXEMPTION:					
NET TAXABLE PROPERTY VALUE:				18,202	14,716

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES				
TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURALFIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

ASSESSMENT NOTICE

& ESTIMATE OF TAX

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DO NOT PAY.

75-4333

PARCEL DESCRIPTION:

T-1450
35 23 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 23N22E351803 A

ASSESSED VALUE OF YOUR PROPERTY			
CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
2 IRRGTD PASTURE 5 DRY GRAZING	12.761 AC 1.000 AC	8,563 53	8,078 50
SUBTOTAL: LESS HOMEOWNERS EXEMPTION: NET TAXABLE PROPERTY VALUE:	13.761	8,616 8,616	8,128 8,128

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ESTIMATED PROPERTY TAXES				
TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURALFIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

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LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

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ASSESSMENT NOTICE

& ESTIMATE OF TAX

75-4333

PARCEL DESCRIPTION:

NW4 N2SW4 SE4SW4
NW4SE4 FR SW4SE4
NORTH OF COUNTY ROAD
35 23 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

24 ARCHIE LN

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 23N22E352400 A

ASSESSED VALUE OF YOUR PROPERTY				
CURRENT CATEGORY AND DESCRIPTION		LOTS/ACRES		CURRENT YEAR'S VALUE
1	IRRGTD AG	109.000	AC	73,975
2	IRRGTD PASTURE	23.500	AC	12,376
4	MEADOW	30.000	AC	13,010
5	DRY GRAZING	174.500	AC	5,711
10	RURAL HOMESITE	2.000	AC	41,000
31	RURAL RES BLDG			153,232
32	RURAL IMP ON AG			38,010
SUBTOTAL:		339.000		337,314
LESS HOMEOWNERS EXEMPTION:				54,778
NET TAXABLE PROPERTY VALUE:				282,536

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ESTIMATED PROPERTY TAXES				
TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURALFIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

ASSESSMENT NOTICE

& ESTIMATE OF TAX

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75-4333

PARCEL DESCRIPTION:

SW4SW4
35 23 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 23N22E356000 A

ASSESSED VALUE OF YOUR PROPERTY			
CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AG	21.000 AC	18,308	14,391
4 MEADOW	11.000 AC	11,000	10,395
5 DRY GRAZING	8.000 AC	424	400
SUBTOTAL: LESS HOMEOWNERS EXEMPTION: NET TAXABLE PROPERTY VALUE:	40.000	29,732 29,732	25,186 25,186

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ESTIMATED PROPERTY TAXES				
TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURALFIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

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LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

ASSESSMENT NOTICE

& ESTIMATE OF TAX

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75-4333

PARCEL DESCRIPTION:

FR N2 NW4 OF LOT 3
LESS T-1449
2 22 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 22N22E022405 A

ASSESSED VALUE OF YOUR PROPERTY			
CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AG	3.000 AC	2,997	2,394
2 IRRGTD PASTURE	3.000 AC	2,466	2,319
4 MEADOW	5.000 AC	3,765	3,550
SUBTOTAL:	11.000	9,228	8,263
LESS HOMEOWNERS EXEMPTION:		9,228	8,263
NET TAXABLE PROPERTY VALUE:		9,228	8,263

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ESTIMATED PROPERTY TAXES				
TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURALFIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

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LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

ASSESSMENT NOTICE

& ESTIMATE OF TAX

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75-4333

PARCEL DESCRIPTION:

T-1338
2 22 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 22N22E023002 A

ASSESSED VALUE OF YOUR PROPERTY				
CURRENT CATEGORY AND DESCRIPTION		LOTS/ACRES		CURRENT YEAR'S VALUE
1	IRRGTD AG	26.500	AC	26,474
2	IRRGTD PASTURE	10.500	AC	8,631
4	MEADOW	1.000	AC	753
5	DRY GRAZING	2.000	AC	106
SUBTOTAL:		40.000		35,964
LESS HOMEOWNERS EXEMPTION:				
NET TAXABLE PROPERTY VALUE:				35,964

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ESTIMATED PROPERTY TAXES				
TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURAL FIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

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LEMHI COUNTY ASSESSOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

ASSESSMENT NOTICE

& ESTIMATE OF TAX

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75-4333

PARCEL DESCRIPTION:

LOT 1
3 22 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 22N22E030000 A

ASSESSED VALUE OF YOUR PROPERTY				
CURRENT CATEGORY AND DESCRIPTION		LOTS/ACRES		CURRENT YEAR'S VALUE
1	IRRGTD AG	29.500	AC	29,471
2	IRRGTD PASTURE	7.500	AC	6,165
5	DRY GRAZING	3.000	AC	150
SUBTOTAL:		40.000		35,795
LESS HOMEOWNERS EXEMPTION:				29,489
NET TAXABLE PROPERTY VALUE:				35,795

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ESTIMATED PROPERTY TAXES				
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SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

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206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

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ASSESSMENT NOTICE

& ESTIMATE OF TAX

75-4333

PARCEL DESCRIPTION:

T-2159
2 22 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 22N22E023003 A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
4 MEADOW	2.420 AC	1,822	1,718
SUBTOTAL:	2.420	1,822	1,718
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		1,822	1,718

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ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURAL FIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL:				
FEES:				
TOTAL PROPERTY TAXES & FEES:				

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206 COURTHOUSE DRIVE
SALMON, IDAHO 83467
208-756-3116

2006

ASSESSMENT NOTICE

& ESTIMATE OF TAX

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DO NOT PAY.

PARCEL DESCRIPTION:

NE4SE4 SE4NE4
34 23 22

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 756-3116

PARCEL ADDRESS:

CARMEN LAND & LIVESTOCK INC

BOX 125
CARMEN

ID 83462

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 26, 2006

Tax Code Area: 21-0000

Parcel Number: RP 23N22E341800 A

ASSESSED VALUE OF YOUR PROPERTY			
CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
5 DRY GRAZING	80.000 AC	3,611	3,371
SUBTOTAL: LESS HOMEOWNERS EXEMPTION: NET TAXABLE PROPERTY VALUE:	80.000	3,611 3,611	3,371 3,371

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ESTIMATED PROPERTY TAXES				
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STATE LEMHI COUNTY SCHOOL DIST 291 LEMHI RURALFIRE LEMHI LIBRARY			208-756-2815 208-756-4271 208-756-3037 208-756-2311	No Response 09/05/2006 06/12/2006 08/10/2006 07/20/2006
SUBTOTAL: FEES: TOTAL PROPERTY TAXES & FEES:				

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