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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

75-10705

(Insert water right number
From the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: THOMAS M. JACKSON

Address: POB 47

CARMEN, IDAHO 83462

Daytime Phone: (208) 756-8047

Name & Address of Attorney, if any:

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: JIM HUDSON

Address: POB 173

CARMEN, IDAHO 83462

D I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☒ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
11. **Recommendation**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of LEMHI)

THOMAS M. JACKSON, duly sworn, upon oath, deposes and says:
(Name of person filing response)

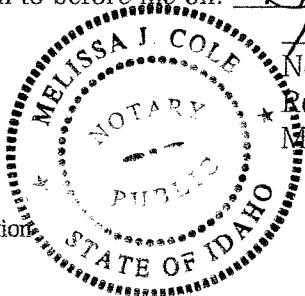
That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Thomas M. Jackson
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

11/13/2007
Melissa J. Cole
Notary Public for State of Idaho
Residing at Salmon, Idaho
My Commission Expires: 12/15/2012



November 13, 2007

To: Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

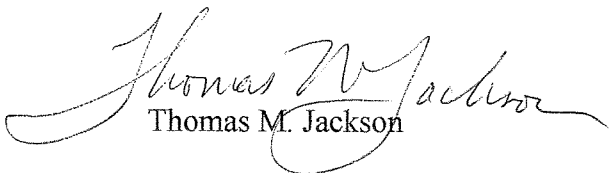
From: Thomas M. Jackson
Donna K. Jackson
P.O. Box 47
Carmen, ID 83462

Re: Case No. 39576
Subcase No. 75-10705

We are in receipt of the objection case number 39576 from Jim Hudson regarding water right number 75-10705. Our interpretation of his objection seems to be that the IDWR has incorrectly identified the water source for 75-10705 and that another unidentified and apparently previously unrecorded source of water exists that 'flows through' our property.

The water source for water right No. 75-10705 is an approximately 200 yard long series of springs and seeps. Decades ago a ditch was constructed that captures and diverts all of this spring water away from its natural lower course to a higher elevation. The only water that continues in the natural stream course through our property is from a small subsoil seep below the ditch and occasional overflow disrepair breaks in the ditch itself.

In summary, we agree with the IDWR's interpretation of the water source for 75-10705 and disagree with the objection from Mr. Hudson. The water source that Mr. Hudson claims 'flows through' our property no longer exists having been captured, diverted into a ditch and identified as claim No. 75-10705 many decades ago.


Thomas M. Jackson


Donna K. Jackson

Copies: Jim Hudson
IDWR Document Depository
Chief, Idaho Natural Resources Division
Environment & Natural Resource Division, U.S. Department of Justice