

|                |   |                      |
|----------------|---|----------------------|
| In Re SRBA     | ) | Subcase No. 37-21501 |
|                | ) |                      |
| Case No. 39576 | ) |                      |
|                | ) | <b>STANDARD FORM</b> |
|                | ) | <b>OBJECTION</b>     |
| _____          | ) |                      |

## NAME AND ADDRESS OF PERSONS OBJECTING

Daytime Phone: 208-788-4613

Josephine P. Beeman  
Beeman & Associates, P.C.  
409 West Jefferson Street  
Boise, Idaho 83702  
(208) 331-0950  
(208) 331-0954 (fax)

Robert J. Struthers  
388 Gannett Road  
Bellevue, Idaho 83313

I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**  
Should be: Robert J. Struthers  
762 Robert Street  
Picabo Route  
Bellevue, Idaho 83313
2. ☐ **Source**  
Should be:
3. ☐ **Quantity**  
Should be:
4. ☐ **Priority Date**  
Should be:
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: 73 acres: 39 acres in the SWNW, and 34 acres in the NWSW
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.

## **REASONS SUPPORTING OBJECTION(S):**

The original 1884 Big Wood River surface water right for these lands was developed with at least 39 acres of irrigation in the SWNW and at least 39 acres of irrigation in the NWSW, Section 20, Township 01 North, Range 19 East. Due to subsequent sales of the land, the 1884 water right for these 80 acres of land in Section 20 is represented by SRBA recommendations 37-21501 (Struthers), 37-21498 (Rice), and 37-21502 (Hawley). Because 2.5 acres are recommended for 37-21498 and 2.5 acres are recommended for 37-21502, 73 acres should be recommended for 37-21501. Since 37-21501 was recommended for 68 acres, this objections seeks an additional five acres of irrigation, consistent with the original development of the root right, 37-665F.

At the outset of the adjudication when root right 37-665F was claimed, it listed 360 irrigated acres. Because 35 acres of state lands were unintentionally included, SRBA claim 37-665F was for 325 acres of land actually owned by the Struthers. The recommendation by IDWR for all of the split rights for 37-665F is currently 2.28 cfs for 211.7 acres. The increase to 216.7 acres is within the bounds of the original SRBA claim 37-665F.

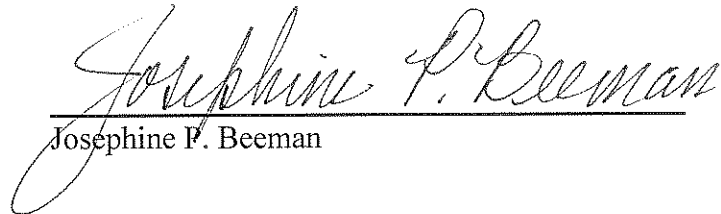
In support of the original extent of 1884 priority irrigation in this 80-acre tract in Section 20 (SWNW and NWSW), the subsequent 1962 and 1968 field exams for associated ground water rights 37-2593 and 37-2705 are enclosed. As evidenced by these field exams, the gravity irrigation system in place for the Big Wood River right covered at least 78 acres of irrigation in the SWNW and NWSW of Section 20.

# VERIFICATION

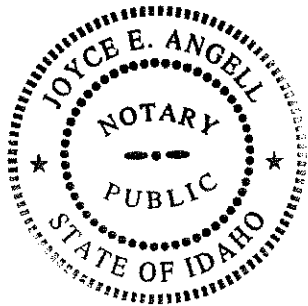
State of Idaho                    )  
                                          ) ss.  
County of Ada                    )

I, Josephine P. Beeman, being duly sworn, upon oath, depose and say:

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

  
\_\_\_\_\_  
Josephine P. Beeman

Subscribed and sworn to before me on:      November 14, 2007



  
\_\_\_\_\_  
Notary Public for the State of Idaho  
Residing at: Boise, Idaho  
My Commission Expires: July 29, 2008

## CERTIFICATE OF MAILING

I certify that on November 14, 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:

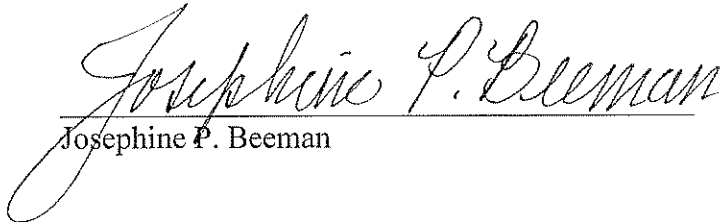
Name: Robert J. Struthers  
Address: 762 Robert Street  
Picabo Route  
Bellevue, Idaho 83313

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  
P. O. 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

  
\_\_\_\_\_  
Josephine P. Beeman

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

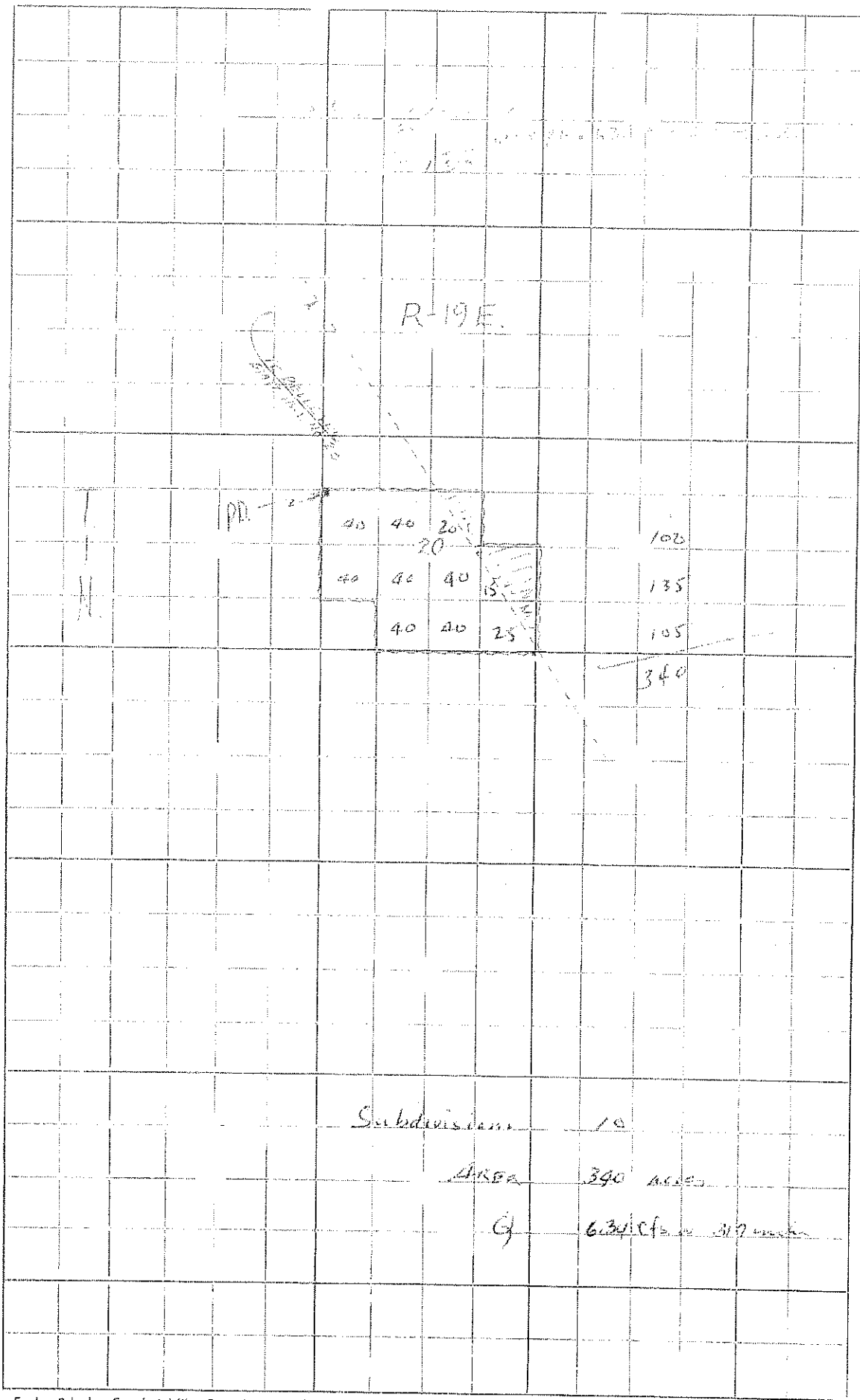
PERMIT NO. G-26740

REPORT ON PROOF OF Completion of Works & Beneficial Use

R. J. Struthers, Box 216, Sun Valley, Idaho

*P 26740*

Field Exam for  
License 37-2593  
July 17, 1962



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. G-26740

This proof is for Completion of Works & Beneficial Use In Water District No. \_\_\_\_\_

1. Name of applicant R. J. Struthers

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> & NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 20

T. 1 N. R. 19 E. B. M. County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same: 100 HP U.S. Motor #1073548, U.S. Pump #23639, Column 120' x 12" column well, 170' x 20" cased all the way perforated, 12" discharge to north into 6' x 8' x 6' concrete distribution box, then to open ditches (50°F.)

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> Sec. 20., Twp. 1 N., Rge. 19 E. B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. R. J. Struthers along

This is very gravelly soil and takes a big head of water to cross the lands still getting a 1" or 2" decrease in loss 207-253' - unusual for this time of year - last year none at this time

Measured by Spacing Meter 5 Rev 1 min 17 sec  
only drilled one well located in NW corner of SW NW Sec 20

This examination was made on the 17<sup>th</sup> day of July, 1962

(Signed) Larry Johnson Examiner.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF EXAMINER

PERMIT NO. G-32263

REPORT ON PROOF OF Completion of Works & Beneficial Use

Field Exam for  
License 37-2705  
August 1968

32263  
37-2705

Ry. 19E

1/4 Sec. 11N.

|       |    |       |
|-------|----|-------|
| 39    | 40 | 20    |
| PO 39 | 40 | 39 15 |
| GP    | 39 | 39 25 |

99

133

103

335

2

Harmon

AREA - 335 ACRES

SUBD - 10

A - ALLOW G. T. E. S.

VOL - 1005 AC-FT / SEASON WHEN COMBINED WITH ALL OTHER RIGHTS.

PRIORITY -

7-9-65  
DICK UP  
T.H. in  
WATER with  
LATER

R. J. Struthers  
P.O. Box 216  
Sun Valley, Idaho  
Permit No. G-32263

Contract  
20" 00'  
4-53'  
G-377"

Examination for Comp. of Works & Beneficial Use

County Blaine  
Sec. 20 T. 1N R. 19E  
Quantity: 6.7 c.f.s.

37-

Source: subterranean

P.D.: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 20, T. 1 N, R. 19 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: Decreed water of Wood River - 114" of 1884  
and License G-26740 89" of 1886  
113" of 1891

Filed: January 29, 1965

Due: March 12, 1970

Made: May 26, 1967

Priority: January 29, 1965

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

3000 gpm 110'

2-25-71 65

12'

12R' 12' 12' 12' 12'

2-7-69

DR 7 SC

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
REPORT OF EXAMINER

Permit No. G-32263

This proof is for Comp. of Works & Beneficial Use

In Water District No. \_\_\_\_\_

1. Name of applicant R. J. Struthers

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 20

T. 1 N R. 19 E County of Blaine

4. Describe works as they exist, giving dimensions and capacities of same:

100 HP GE. ELEC MOTOR #CAT59185  
1" B.V.T.P. #D18458  
12" DISCHARGE 17' INTO EARTH DITCH

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , Sec. 20, T. 1 N, R. 19 E, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? \_\_\_\_\_

Remarks: \_\_\_\_\_

SPARKLING WATER USED:  $\frac{200 \text{ c.f.}}{29.4 \text{ sec}} = 6.81 \text{ c.f.s.}$

See file G-26740

IRRIGATION REQUIREMENT = 3.0 AC-FT / ACRES / SEASON

This examination was made on the \_\_\_\_\_ day of \_\_\_\_\_, 19 68

(Signed) Don Arnold Examiner.

Permit G-32263

32263 plat  
37-2705