

BEEMAN & ASSOCIATES, P.C.

Counselors and Attorneys at Law
409 West Jefferson Street
Boise, Idaho 83702-6049

Josephine P. Beeman
jo.beeman@beemanlaw.com

Phone (208) 331-0950
Fax (208) 331-0954
office@beemanlaw.com

December 11, 2007

Diana Delaney
Clerk, SRBA Court
P. O. Box 2707
Twin Falls, ID 83303

RECEIVED
DEC 12 2007
DEPARTMENT OF
WATER RESOURCES

Re: *Subcase 02-00080*
Correction of page 1 for Frances Field Objection to 02-00080

Dear Diana:

On the December 5, 2007 deadline for Objections in Basin 02, we filed Objections on behalf of Howard Field (02-10167, 02-10169, 02-10171, and 02-10298) and Frances Field (02-00080, 02-00081, and 02-07336).

Due to a clerical error, the first page of the Objection for 02-00080 was inadvertently identified in the heading as 02-10080 instead of 02-00080. The subcase number in the footer was correct, and the text of the objection correctly identified 02-00080, as did the text of the companion objections to 02-00081 and 02-07336.

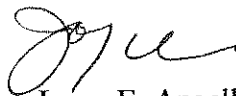
The Objection to 02-00080 was file stamped, then the "filed" stamp was voided, and the entire original was returned to our office.

We return the original Objection to 02-00080 with this letter, including page 1 showing the "filed" stamp for December 5, and request that the original page 1 be replaced with the enclosed corrected page 1. Please feel free to call me if you have any questions.

Thank you.

Sincerely,

BEEMAN & ASSOCIATES, P.C.



Joyce E. Angell, PLS
Office Manager

:ja
Enclosures
cc: Service List for 02-00080 (w/ enclosures)

VOID
DISTRICT COURT, IDAHO
TWIN FALLS CO., IDAHO
FILED

2007 DEC 5 PM 4 59

**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	)	Subcase 02-10080
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
_____	)	

NAME AND ADDRESS OF PERSON OBJECTING

Name: Frances Field
and
Oscar and Frances Field Family Limited Partnership
Address: HC 85, Box 221
Grand View, ID 83624

Daytime Phone: 208-834-2132

Name & Address of Attorney, if any:

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

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Grand View Mutual Canal Co.
Address: P. O. Box 9
Grand View, ID 83624

**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	)	Subcase 02-00080
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
_____	)	

NAME AND ADDRESS OF PERSON OBJECTING

Name: Frances Field
and
Oscar and Frances Field Family Limited Partnership
Address: HC 85, Box 221
Grand View, ID 83624

Daytime Phone: 208-834-2132

Name & Address of Attorney, if any:
Josephine P. Beeman
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950
(208) 331-0954 (fax)

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Grand View Mutual Canal Co.
Address: P. O. Box 9
Grand View, ID 83624

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

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:** The place of use should not include acreage in Township 5 south, Range 3 east, Section 18 that lies above the Grand View Mutual Canal Company canal.
10. ☒ **Other:** The recommendation should indicate that the common place of use 2-80, 2-81, and 2-7336 does not supplant the delivery and allocation of priority shares within the Grand View Mutual Canal Company based on when lands within the common place of use began irrigation relative to the priority dates of these 3 water rights.
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 common place of use recommended for water rights 2-80, 2-81, and 2-7336 held by the Grand View Mutual Canal Company includes acreage in Township 5 south, Range 3 east, Section 18, that lies above the Grand View Mutual Canal Company canal and was not susceptible of gravity irrigation from the canal when water rights 2-80 and 2-81 were established. Further, these lands in Section 18 were not irrigated until the recent past. The 42 acres originally associated with license 2-7336 did not include lands above the canal in Section 18, and the common place of use now recommended for 2-7336 should not include these Section 18 lands.

The land above the canal in Township 5 south, Range 3 east, Section 18 is included in the common place of use recommended for water rights 2-7090A and 2-7212 held by the Upper Grand View Canal Company. This is appropriate.

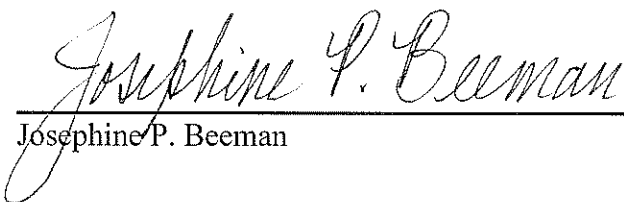
Water rights 2-80, 2-81, and 2-7336 have separate priority dates but a common place of use. However, lands within the common place of use are also associated with priority shares for delivery of water in accordance with the commencement of irrigation on specific lands relative to the priority dates of these 3 water rights. This recognition of priority delivery within the Grand View Mutual Canal Company should not be altered by the recommendation of a common place of use.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

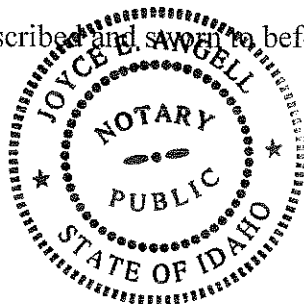
I, Josephine P. Beeman, being duly sworn, upon oath, depose and say:

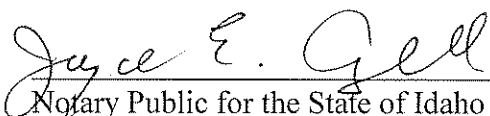
That I am the attorney for the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(i) and (6), and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Josephine P. Beeman

Subscribed and sworn to before me on: December 5, 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 December 5, 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:

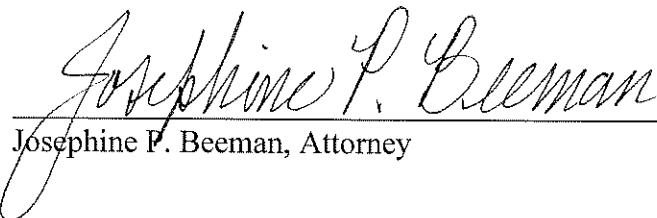
Grand View Mutual Canal Co.	Attorney: Charles Honsinger
P. O. Box 9	Ringert Clark
Grand View, ID 836244	P. O. Box 2773
	Boise, ID 83701-2773

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, Attorney