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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)

A. Subcase 73-127 & 73-12041
(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: Patrick & Karen Simpson
Address: 726 Pahsimeroi Road
May Idaho 83253
Daytime Phone: 208-940-1050

Name & Address of Attorney, if any:

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

Name: Patrick E Simpson Karen Jean Simpson
Address: P.O. Box 414
Hailey Idaho 83333

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: _____
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: _____
9. ☒ **Place of Use** T16N R21E S36 NESE 14.1
Should be: T16N R21E S36 NWSE 7.2
Total
Acres
63.7
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):** See Attached Letter

December 6th, 2007

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

To Whom It May Concern:

Let it be clear, we are **not** asking for additional water. We only want an approximately 17.2 acre bench to be included with our current **place of use**, located in the southeast 1/4 of section 36. This land holds Historical water rights. It is our understanding that when a parcel of land in Idaho changes ownership any and all water rights that exist remain with the land.

We purchased the 360 acre property known as Little Morgan Creek Ranch in 1993. At the time of purchase the ranch was split into two separate parcels. The Cantlin's owned the upper 160 acres with water right 73-127. James Ball owned the adjoining lower 200 acres without any water rights.

The 200 acres is the parcel in question. We have proof that this parcel has Historical water rights. We are currently irrigating this property by spreading our 73-127 water rights, place of use, to this parcel. Unfortunately a 17.2 acre bench was not included in the place of use description, and that is the purpose of this protest.

Ownership history is as follows:

March 1st, 1908 Water decreed to A.W. Adams upper 160 acres section 31 and lower 200 acres section 36.

August 16th, 1917 George B. Hammond filed a notice of Possessory Claim for the acres which had the same legal description as the decree of 1908. **This description takes in the southeast 1/4 of section 36.**

February 10th, 1947 Quitclaim Deed from Ray and Ina Hamilton to Leon Stoddard. This deed had all water rights with the same legal description as the decree. **This description takes in the southeast 1/4 of section 36.**

How the BLM and State of Idaho acquired this private property is still being researched. Why the State of Idaho did not pass the water rights with the sale of this state property back to private property is a question that researchers are still investigating.

August 7th, 1967 BLM sold to Everett Cantlin 160 acres section 31 **with water.**

December 6th, 1974 State of Idaho sold to James Ball 200 acres section 36 with **no water.** James Ball attempted to apply for the water in February 1977. Heavy protest came from the neighbors after the public notice appeared in the Recorder Herald newspaper, Salmon Idaho March 3rd and 10th 1977. Mr. Ball gave up his effort. We feel the neighbors in protest, did not know the history behind the property and water rights, and protested simply because they could. Had Mr. Ball continued his search he would have uncovered the documents leading to the parcels water rights.

The old homestead cabin, garden plot, cleared fields, and cottonwood tree lined ditches from this historical water rights still remain today on this 200 acre parcel where the 17.2 acre bench is situated.

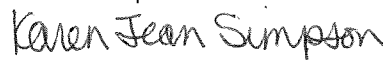
If you would like to visit the site we would welcome you. We hope you will grant us this request. Thank you.

Sincerely,

Patrick E. Simpson



Karen J. Simpson



Please mail all correspondence to:
Patrick and Karen Simpson
P.O. 414
Hailey, ID 83333
208-940-1050

F.

VERIFICATION (must be completed)

State of Idaho)

County of Blaine)

ISS

Patrick E. Simpson and Karen J. Simpson 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.

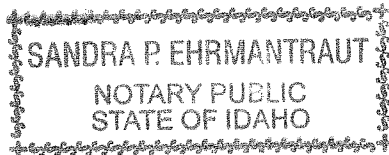
Patrick E. Simpson
(Signature of person filing objection)
Karen Jean Simpson

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

December 07, 2007

[Signature]



Notary Public for First Bank of Idaho
Residing at: Idaho
My Commission Expires: 4.21.12

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 December 7th, 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: _____

Address: _____

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

Karen Jean Simpson

Patrick E. Simpson

Signature of objector or attorney
mailing on Objector's behalf