

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 75-4026

(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: Ward M. Whitmore

Address: P.O. Box 774

Salmon, ID 83467

Daytime Phone: 208-894-2290

Name & Address of Attorney, if any:

Jordan P. Smith

Attorney at Law

807 Main Street

Salmon, ID 83467

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

Name: Erik F. Storlie & Tamara L. Kaiser Fred Crabtree

Address: 3217 Humboldt Ave., South P.O. Box 24

Minneapolis, MN 55408 Ellis, ID 83235

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 -- Objector, Fred Crabtree -- See attached
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. -- See attached.
- ☐ 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)

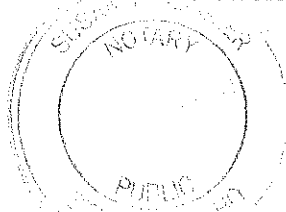
Jordan P. Smith, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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.

(Signature of person filing response)

Jordan P. Smith
(Attorney signing in representative capacity)
Jordan P. Smith

Subscribed and sworn to before me on: December 13, 2017
Susan E. Peeples
Notary Public for Idaho
Residing at: Salmon, Idaho
My Commission Expires: 9-4-2011



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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.

F. CERTIFICATE OF MAILING

I certify that on Dec 13, 2007, I mailed the original and copies of this response, 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: Salmon River Properties, Inc.
Address: P.O. Box 4495, Chatsworth, CA 91313

3. One copy to the party who filed the objection at the following address:

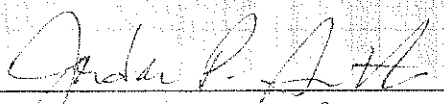
Name:	<u>Erik F. Storlie & Tamara L. Kaiser</u>	<u>Fred Crabtree</u>
Address:	<u>3217 Humboldt Ave., South</u>	<u>P.O. Box 24</u>
	<u>Minneapolis, MN 55408</u>	<u>Ellis, ID 83235</u>

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Your signature or signature of attorney
mailing on your behalf

RESPONSE

1. Crabtree – Now owns 75-4155 (6/1/1915; 0.34 cfs; 22.5 irrigated acres; source Hat Creek). This water right is in no way affected by 75-4026. It is senior in priority, is located above the Salmon River Properties' lands, and is quite small.
2. Storlie/Kaiser – These folks now own water right recommendations 75-2137 (11/1/1960, 0.84 cfs, 69.7 irrigated acres, source Big Hat Creek); 75-4199 (5/1/1889, 0.84 cfs, 16.3 irrigated acres, source Big Hat Creek and West Fork Hat Creek); and 75-4200 (5/1/1889, 0.96 cfs, 24.7 irrigated acres, West Fork Hat Creek). This water right has no effect on 75-4199 or 75-4200. Both water rights are much earlier in priority and several miles up Hat Creek. Water right 75-4026 has no effect on 75-2137 because water right No. 75-4026 has never called for any water from upstream users on Hat Creek.