

RECEIVED

JUL 10 2007

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

75-14011

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: BETH ANNE O'CONNOR WALLACE

Address: 52 SMOUT CREEK RD
CARMEN, IDAHO 83402

Daytime Phone: 208-756-2296
916-996-6300

Name & Address of Attorney, if any:

209-296-3001

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

Name: BETH ANNE O'CONNOR WALLACE RTEROLD

Address: 11920 NARCISSUS RD
JACKSON, CA 95682-9600

AS SOON AS WE SELL OUR HOME
IN CALIFORNIA, HOPEFULLY IDAHO, WILL
BE OUR HOME IN 2007.

SF.1-Objection
Amended 10/16/97

WE BOUGHT IN IDAHO BECAUSE
WE WANTED WATER RIGHTS.

FOR OUR ANIMALS
WE LOVE IDAHO!

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: 1915-05-01
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**
Should be: _____
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):** WE HAVE THE
SAME 1915 WR AS THE ELLIS' & LIEBERMANS.
OUR PROPERTY HAS ~~BEEN~~ ALWAYS BEEN
IRRIGATED & GRAZED & WILL IN THE FUTURE
WITH OUR ANIMALS & LIVESTOCK,
SEE ATTACHED LETTERS
& EXPLANATION

F.

VERIFICATION (must be completed)

State of CALIFORNIA)
)ss.
County of Amador)

BETH ARNE O'CONNOR WALLACE 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.

** Beth Arne O'Connor Wallace*
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: July 2, 2007

Kathleen W. Foreman
Notary Public for California
Residing at: Volcano
My Commission Expires: 07-23-08



ACKNOWLEDGMENT

State of California

County of Amador

On July 9, 2007 before me, KATHLEEN W. Foreman, Notary Public,
(here insert name and title of the officer)

personally appeared Beth Anne D'Connor Wallace

personally known to me (or proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Kathleen W. Foreman



(Seal)

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 JULY 3, 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:

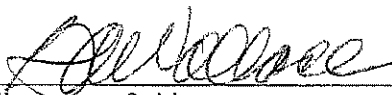
Name: BETH ANNE O'CONNOR WALLACE & JEROLD WALLACE
Address: 11920 MARCEISSUS RD
JACKSON, CA 95682-9600

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



Signature of objector or attorney
mailing on Objector's behalf

May 23, 07
Salmon, ID

Attention: Greg Taylor

Re: Wallace (Brownlee water right No. 75-14011)

The Wallace's have asked me to write concerning why they were denied their claim to a water right No. 75-14011.

In 2001 my wife and I sold a parcel of land containg 20 acres to the Brownlee's. Then on Oct. 5,2001 we recieved a letter from the IDWR informing us that IDWR has transferred 0.55 CFS to 13 acres to the Brownlee's. This transferr was made from 75-13961 with a priority date of 1915 - 05 - 01.

In 1967 My wife and I purchased the Jake Jakovac place. From 1967 to 2001 we used the 1915 right to irrigate the Whole as shown on the enclosed map.

Now I don't understand why the Wallace's should be denied their right to a part of that Whole. I'm sure they would appreciate an answer.

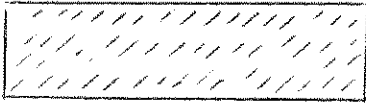
Sincerely,

Jack Ellis

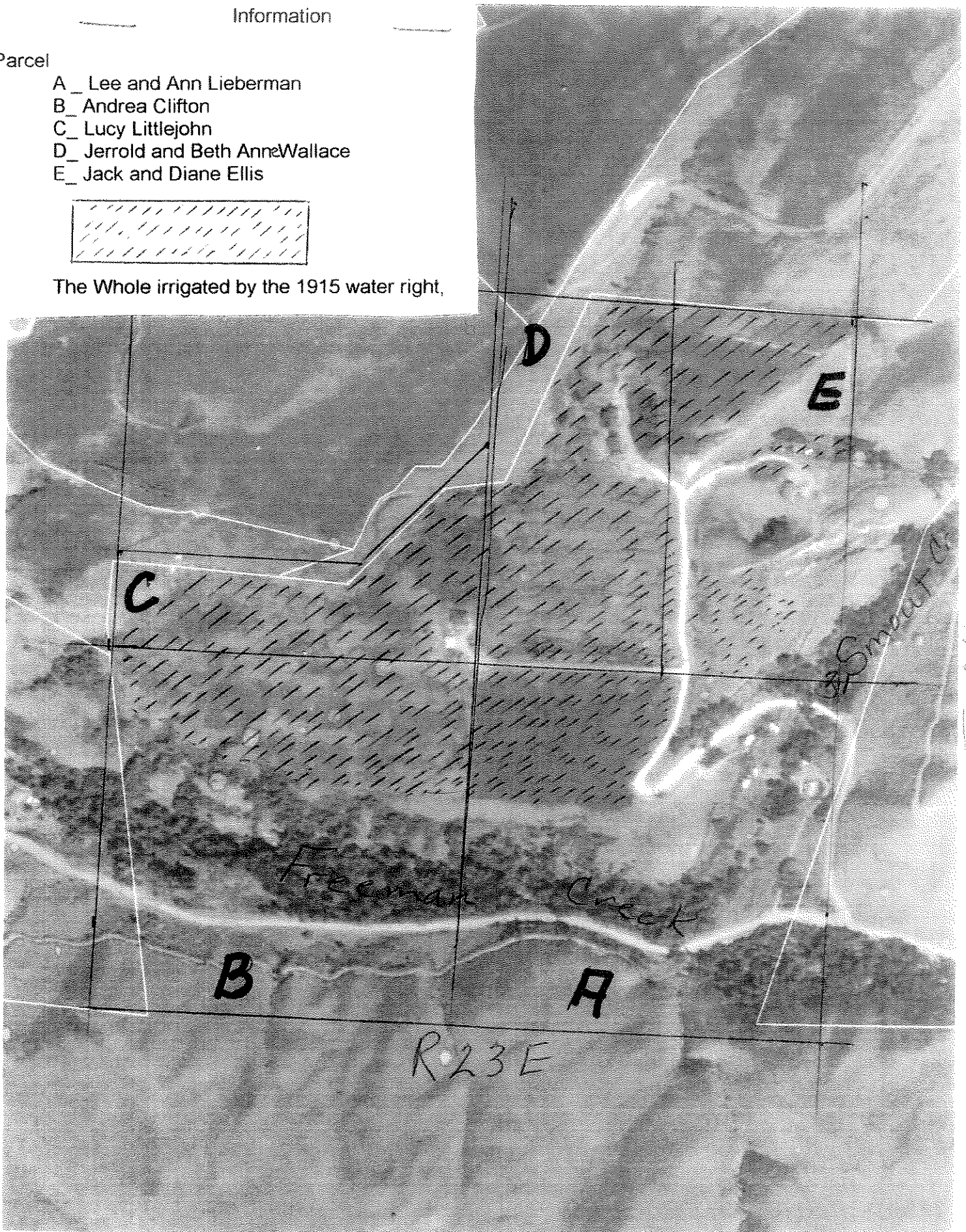
Information

Parcel

- A _ Lee and Ann Lieberman
- B _ Andrea Clifton
- C _ Lucy Littlejohn
- D _ Jerrold and Beth Anne Wallace
- E _ Jack and Diane Ellis



The Whole irrigated by the 1915 water right,



★ Ignore yellow lines

IDWR Water Right and Adjudication Search

Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.

☐ Search for both active and inactive water right records.

Search Results

Type of Query

USAGE INSTRUCTION

☐ All SRBA & Water Rights	
SRBA ☒ Claims ☐ Recommendations ☐ Both	Water Rights ☐ Applications ☐ Permits ☐ Decrees, Licenses and Statutory Claims ☐ Transfers ☐ All of the above

Basin Who What When Where Clear Search Help

Query parameters:

lastName = ellis

firstName = jack

Search for: active Records

Information for type: Claim

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details Related Documents General Provision	1	75	78			Decreed	Active	1898-05-01	0.3	GOLWAY GULCH CREEK	DOMESTIC, IRRIGATION	BEAVERHEAD PEAKS RANCH LLC (Current)
Details Related Documents General Provision	2	75	4206			Statutory Claim	Active	1918-05-01	2	GOLWAY GULCH CREEK	IRRIGATION	BEAVERHEAD PEAKS RANCH LLC (Current)
Details Pedigree Related Documents General Provision	3	75	10062	B		Decreed	Active	1882-05-01	0.45	GOLWAY GULCH CREEK	IRRIGATION	BEAVERHEAD PEAKS RANCH LLC (Current)
Details Pedigree Related Documents General Provision	4	75	14007			License	Active	1960-10-02	0.26	GOLWAY GULCH CREEK	IRRIGATION, MITIGATION	WALLACE, BETH ANNE O CONNOR (Current); WALLACE, JEROLD W (Current)
Details Pedigree Related Documents General Provision	5	75	14009			License	Active	1940-09-07	0.26	SMOUT CREEK	IRRIGATION, MITIGATION	WALLACE, BETH ANNE O CONNOR (Current); WALLACE, JEROLD W (Current)
Details Pedigree Related Documents General Provision	6	75	14011			Statutory Claim	Active	1915-05-01	0.55	SMOUT CREEK	IRRIGATION	WALLACE, BETH ANNE O CONNOR (Current); WALLACE, JEROLD W (Current)
Details Pedigree Related Documents General Provision	7	75	14201			Statutory Claim	Active	1948-05-01	0.59	FREEMAN CREEK	IRRIGATION	ELLIS, DIANE M (Current); ELLIS, JACK F (Current)

Details Pedigree Related Documents General Provision	8	75	14202			Statutory Claim	Active	1948-05-01	0.21	FREEMAN CREEK	IRRIGATION	BEAVERHEAD PEAKS RANCH LLC (Current)
Details Related Documents General Provision	9	75	14262			Beneficial Use	Active	2002-06-01	0.04	GROUND WATER	DOMESTIC	ELLIS, DIANE M (Current); ELLIS, JACK F (Current)
Details Pedigree Related Documents General Provision	10	75	14352			Statutory Claim	Active	1915-05-01	1.27	SMOUT CREEK	IRRIGATION	ELLIS, DIANE M (Current); ELLIS, JACK F (Current)
Details Pedigree General Provision	11	75	14353			Statutory Claim	Active	1915-05-01	0.52	SMOUT CREEK	IRRIGATION	LIEBERMAN, ANN (Current); LIEBERMAN, LEE (Current)
Details Pedigree Related Documents General Provision	12	75	14354			License	Active	1960-10-02	0.204	GOLWAY GULCH CREEK	IRRIGATION	ELLIS, DIANE M (Current); ELLIS, JACK F (Current)
Details Pedigree General Provision	13	75	14355			License	Active	1960-10-02	0.236	GOLWAY GULCH CREEK	IRRIGATION	LIEBERMAN, ANN (Current); LIEBERMAN, LEE (Current)
Details Pedigree Related Documents General Provision	14	75	14356			License	Active	1940-09-07	0.148	SMOUT CREEK	IRRIGATION	ELLIS, DIANE M (Current); ELLIS, JACK F (Current)
Details Pedigree General Provision	15	75	14357			License	Active	1940-09-07	0.172	SMOUT CREEK	IRRIGATION	LIEBERMAN, ANN (Current); LIEBERMAN, LEE (Current)

Number of records = 15

August 1, 2005

To whom it may concern:

On August 29th, 1907, by this instrument No. 9023, Desert Lands Certificate No. 609, Winslow T. Smout received full ownership of lands in: T23N, R23E, Section 31 SE 1/4, NW1/4, NE1/4 SW1/4 and Lot 3, containing 118.44 acres.
Mr. Smout met all of the requirements and made full payment.

One of the requirements was that you put water on part of the irrigable land. He had to have irrigated part of the land to receive the deed that he had recorded on December 29, 1909.

The two ditches coming to this land from Smout Creek came to the above described land only. This identifies that this land has been irrigated since the summer of 1907, when he received the deed from President Theodore Roosevelt, eight years before the priority date of 1915.

The two points of diversion to these lands are: T23N, R23E, Section 31 NE1/4 - SW1/4 - NE1/4 and T23N, R23E, Section 31 SW1/4 - NE1/4 - NE1/4.

Thank You,

JACK ELLIS



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

September 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JACK & DIANE ELLIS
PO BOX 301
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-04205

Dear Mr. & Mrs. Ellis:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-04205: — 1915
75-13961, 2.34 CFS ON 55.1 ACRES, ELLIS
75-13962, 0.66 CFS ON 15.6 ACRES, JAKOVAC

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

Enclosure

*See next page
for Wallace*



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 2001

JACK F & DIANE ELLIS
PO BOX 301
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-2140, A75-2097 AND A75-13961

Dear Mr. & Mrs. Ellis:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-2140 as follows:

75-14006: 0.91 CFS, 136.83 AFA, 34.1 ACRES, ELLIS

75-14007: 0.35 CFS, 52.17 AFA, 13 ACRES, BROWNLEE

75-2097 as follows:

75-14008: 0.67 CFS, 85.21 AFA, 34.1 ACRES, ELLIS

75-14009: 0.25 CFS, 32.49 AFA, 13 ACRES, BROWNLEE

w allace

75-13961 as follows: *1915*

75-14010: 1.79 CFS, 42.1 ACRES, ELLIS

75-14011: 0.55 CFS, 13 ACRES, BROWNLEE

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 2001

JACK F & DIANE ELLIS
PO BOX 301
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-14006 AND A75-14008

Dear Mr. & Mrs. Ellis:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-14006 Split:

75-14014: 0.76 CFS, 113.96 AFA, 28.4 ACRES, ELLIS

75-14015: 0.15 CFS, 22.87 AFA, 5.7 ACRES, LITTLEJOHN

75-14008 Split:

75-14016: 0.56 CFS, 70.97 AFA, 28.4 ACRES, ELLIS

75-14017: 0.11 CFS, 14.24 AFA, 5.7 ACRES, LITTLEJOHN

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 19, 2001

JACK F & DIANE ELLIS
PO BOX 301
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-14014 AND A75-14016

Dear Mr. & Mrs. Ellis:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-14014 split into
A75-14031: 0.44 CFS, 65.81 AFA, 16.4 ACRES: ELLIS
A75-14032: 0.32 CFS, 48.15 AFA, 12 ACRES: AVERY

A75-14016 split into:
A75-14033: 0.32 CFS, 4098 AFA, 16.4 ACRES: ELLIS
A75-14034: 0.24 CFA, 29.99 AFA, 12 ACRES: AVERY

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

01/8/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
75-14011	BETH ANNE O CONNOR WALLACE 11920 NARCISSUS RD JACKSON CA 95642	Disallowed	Recommended as Right No. 75-14009.
	JEROLD W WALLACE 11920 NARCISSUS RD JACKSON CA 95642		