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APR 01 2008

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 A47-02159AB

(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: Stephen W. McLemore

Address: 988E 4800N

Buhl, ID 83316

Daytime Phone: 208-543-9061

Name & Address of Attorney, if any:

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

Name: Same as Para B, above.

Address: _____

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**
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): See attachments 1 - 5.

NOTE: I HAVE AT LEAST THREE WITNESSES TO MY USE OF WATER FROM SALMON FALLS CREEK.

F.

VERIFICATION (must be completed)

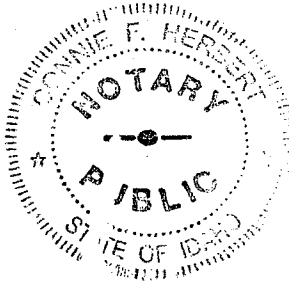
State of IDAHO)

)ss.

County of TWIN FALLS)

Stephen W. McLemore , 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.



Stephen W. McLemore
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

Connie F. Herbert 3-28-08

Connie F. Herbert

Notary Public for NOGERMAN, IDAHO

Residing at: NOGERMAN

My Commission Expires: 6-14-2010

Stephen W. McLemore
988 E. 4800 N.
Buhl, ID 83316
(208) 543-9061

March 20, 2008

Re: Overview of Water Rights on Salmon Falls Creek

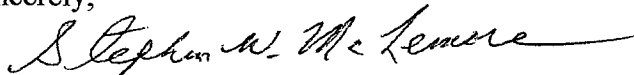
On June 23, 1993 I was granted water rights in the amount of 0.06 cubic feet per second (3 miners inches) for irrigation purposes on 3.2 acres of land that I own on Salmon Falls Creek. The legal description of the property is Lot 22-B of Salmon River Ranches. This water right was granted by using a form "New Property Owner, Notice of Change of Water Right Ownership". This form along with a copy of the recorded warranty deed was then mailed to the Department of Water Resources So. Region, Twin Falls, ID.

On March 22, 1994 I received a letter from the water district 47G; with a bill in the amount of \$5.00 for a maintenance charge of my water rights within the district 47G. I paid the \$5.00 fee with a personal check and mailed it to the Buhl office, to the attention of Armand Eckert, Secretary of Water District 47G.

On January 31, 1995 I received letter from the ID Department of Water Resources. The letter advised me of the Snake River Adjudication process involving my water rights of the Salmon Falls Creek. The letter told me to review the information they enclosed, which I did and called the phone number on the letter and talked to Jeannie. I asked her if they needed pictures I had taken showing the water pump and hoses pumping water from the Salmon Falls Creek into my property watering the vegetation, garden and my pond. She stated there was no need to sent the pictures at that time.

On January 26, 2007 I received a letter from the ID Department of Water Resources stating the S.R.B.A. court had disallowed my water right due to non-use from 1984-1994. I called the Boise phone number for the ID Department of Water Resources and talked to an employee about the letter mentioned above. I told him I had pumped water according to my rights from the creek during the time frame identified as abandoned and had pictures of doing so. He said someone else would contact me, but I have never received a phone call on this matter. Now a year later I have misplaced the pictures. I will continue to look for them and if found I will send them to verify that I did in fact utilize my water rights within the dates indicated.

Sincerely,



Stephen W. McLemore



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

POOR QUALITY ORIGINAL

DATE OF CLOSING: 6-23-93

LEGAL DESCRIPTION OF PROPERTY: Township 8 South Range 14 East, B.M.
Section 30, 1/4 of SE 1/4 of SE 1/4, Govt. Lot , B.M.
Lot 22-B, Block, , Subdivision/Townsite Amended Salmon River Ranches Filing #1 &
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: Part of #A47-02159R

☐ Name and Address of Former Owner/Claimant(s)(Seller): K. Gary Olesen
73-371 Pinvon Street

☐ New Owner/Claimant (Purchaser): Palm Desert, California 92260
Stephen W. McLemore and/or Cheryl R. McLemore

☐ New Mailing Address: 4208 De Ette Avenue
Bakersfield, California 93313

☐ New Telephone Number: (805) 833 - 9452

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
That amount of water that is claimed by the new owner is 0.06 cubic feet
per second (3 miner's inches) for irrigation purposes for 3.2 acres of
land.

☐ Attach proof of ownership, describe proof attached: Copy of the recorded Warranty Deed.

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Stephen W. McLemore Date 9-28-93
Cheryl R. McLemore Date 9-28-93

☐ Signature of Former Owner/Claimant(s): K. Gary Olesen Date 9-17-93
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

**Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner**

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A47-02159R
Date Received: 1/20/1989
Receipt No: S006130
Received By: R. V. - 21

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: K. GARY OLESEN 619-346-1048
Address: 73-371 PINYON STREET
PALM DESERT, CA 92260

2. Date of Priority: JUL 18, 1923

3. Source: SALMON FALLS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	30	SW	SE	SE		TWIN FALLS

5. Description of diverting works:
PUMP IN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	30	SE	SE		IRR	15.0

Section Acres 15.0

Total Acres 15.0

A47-02159R

Page 1

Date: 12/04/90

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

2LAIM IS FOR A PORTION OF 47-02159G ACQUIRED IN 1980 FROM MR. & MRS. ROBERT W. RING. SEE TRANSFERS 1044, 2642, & 2660. PLACE OF USE IS LOTS 22 & 23, SALMON RIVER RANCHES AMENDED FILING #1.

THIS PROPERTY WAS SOLD BY MR. GACHE TO MR. OLESEN ON 11/14/90.
RVW. - 12/04/90

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

POOR QUALITY ORIGINAL

March 22, 1994

Mr. Stephen W. McLeMore
4208 Deette Ave.
Bakerfield, California 93313

Dear Mr. McLeMore

The Water District 47G maintenance charge for the current water season has been established as \$0.50/CFS with a \$5.00 minimum. Accordingly, the charge for your water right is listed below:

Current Billing \$5.00

You should note that nonpayment of any water charge for Water District 47G could result in the loss of those water rights. Should you have any questions regarding these charges, please contact Mr. Gary Funderburg, Idaho Department of Water Resource Agent, Twin Falls, Idaho office.

Please remit payment to Water District 47G, c/o Armand M. Eckert, Secretary, Route # 3, Buhl, Idaho 83316.

Sincerely,

A. M. Eckert
Armand M. Eckert, Secretary
Water District 47G

Ground Water rights -
Surface " " -

*Domestic use
not affected.
Not a great
consequence
on this
notice.*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CONFIDENTIAL~~

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 31, 1995

STEPHEN AND CHERYL McLEMORE
4208 DE ETTE AVE BAKERSFIELD, CA 93313
(NORCO, CA 91760) - DMIT

RE: ADJUDICATION CLAIM OWNERSHIP CHANGES

Dear Mr & Mrs McLemore:

Please find enclosed the Snake River Basin Adjudication claim for your portion of the original claim. These changes were made pursuant the change of ownership filed by you. Review the information carefully and contact us if there is a mistake, otherwise the claim will stand as is. Review of the claims in the area involved will not take place for a couple years.

Note that the irrigation system from the river is shared by the three claims. If a separate diversion system is contemplated for the land, then you or your successor(s) may need to file a transfer of water right form.

If you have any questions please contact me.

Sincerely,

Douglas Jones, P.E.
Water Right Supervisor

*Spoke w/
Jannie on
2/10/95
adjudication
I time
process
on 2 years.*

*Hold on to pictures of
irrigation for files. No
Need to send to Water
Co. per Jannie!*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 26, 2007

RE: Water Rights in Reporting Area 12, Basin 47
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 47 that have been reported to the SRBA Court, covering water right claims from the Salmon Falls Creek drainage covering largely all of Twin Falls County. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended water right claims in your area. Water rights for most domestic and/or stockwater rights were reported earlier to the Court, and most of those have been decreed by the SRBA Court.

Note that you have until September 19, 2007, in which to review the recommendations for your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Burley, Murphy and Twin Falls, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to the recommendation for your water right, your water right will be decreed in 2008 as recommended. You will receive your decree from the SRBA Court.

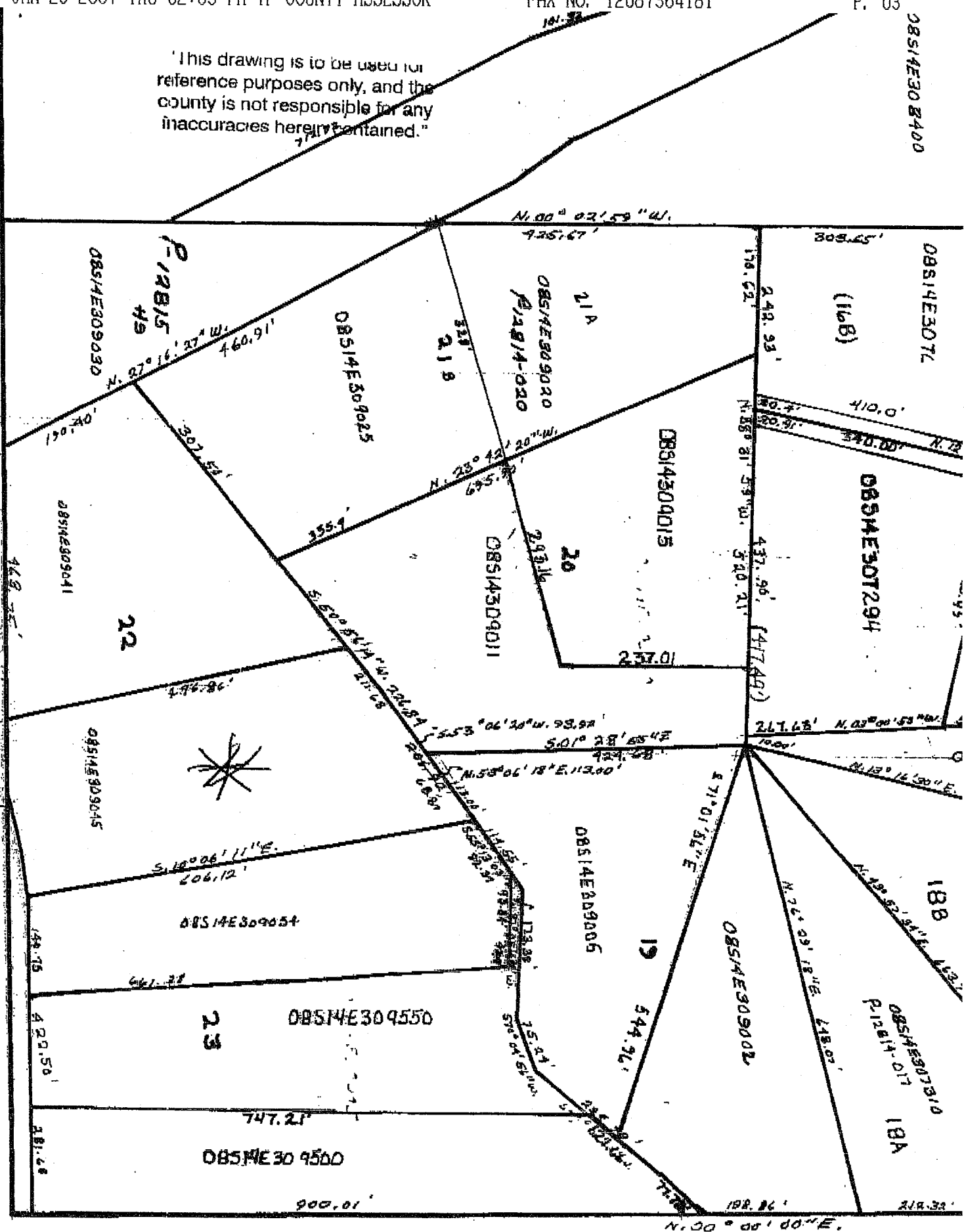
Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process. You may also call the adjudication staff in my office at 1-800-451-4129 who can also respond to your questions.

Sincerely,

David R. Tuthill, Jr., P.E.
Interim Director

Enclosures

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APR 01 2008

DEPARTMENT OF
WATER RESOURCES

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 March 28, 2008, 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: Stephen W. McLemore

Address: 988E 4800N

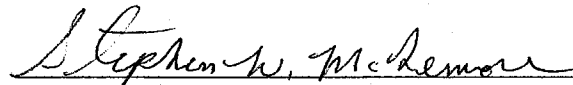
Buhl, ID 83316

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