

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 74-179C 74-180B

(Insert water right number
From the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

RECEIVED

AUG 29 2008

DEPARTMENT OF
WATER RESOURCES

Please **print or type** the following information:

B: NAME AND ADDRESS OF PERSON RESPONDING

Name: Malinda Vincent Tracy

Address: 3 Prairie Rd

Salmon, Id. 83467

Daytime Phone: (208) 756-8653

Name & Address of Attorney, if any:

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

Name: Boyd, Dean Stokes

Address: 19 W. Barracks Ln.

Salmon Idaho 83467

RECEIVED

AUG 26 2008

Department of Water Resources
Eastern Region

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
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 Lot 5 Barracks Ln. Subdivision. Has always had, decreed, Active Water Rights. Should be maintain. as is.
11. Recommendation

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
County of Lemhi)ss.

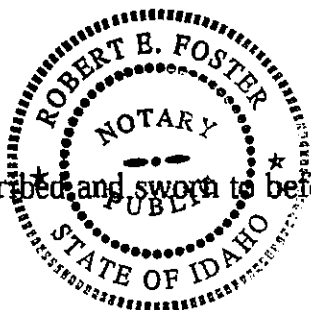
Malinda Tracy, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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.

Malinda Tracy
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



August 18, 2008
Robert E. Foster
Notary Public for Idaho
Residing at: Salmon
My Commission Expires: 3-6-2013

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 Aug 18 ²⁰⁰⁸, 1998, 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: Dean Stokes
Address: 19 N. Barracks Ln Salmon

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

Name: Water District 74C
Address: 300 Monroe St. Salmon Id 83467

4. Copies to:

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

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

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

Melinda Tracy
Your signature or signature of attorney
mailing on your behalf

To whom it may concern

I Vincent Tracy Purchased lot 5 on Barracks Ln.
Subdivisions we were Told it had no water rights.

Every person that had this property was told, The
same, all lots on this subdivision, was irrigated in the
past. flood and sprinkled. The stodard Family raised Hay.

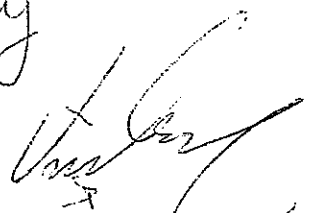
I contacted water resources Idaho falls
Branch. The water rights on this property was
Active so I filed a transfer of ownership into my
name. The water rights are decreed for this proptery
and have never Been transfered to any other properties.
all rights should remain as they are.

RECEIVED

AUG 26 2008

Department of Water Resources
Eastern Region

Sincerely


Vincent Tracy

August 20, 2008

This letter is in reference to Vincent and Mindy Tracy's water right on Barrecks Lane.

I am John Tracy and worked for the Swahlen Ranch on Bohannon Cr. for over thirty years. I was also the water master on Bohannon Cr. for around ten years.

I saw the map provided to the Tracy's by the water department showing the land's the water right covered and it is fairly accurate for what has been irrigated in the past.

The last owner to irrigate the land was Dave Freil. Sometime in the late 80's he subdivided the property in around 10 plots of 5 or so acres. As with most subdivisions in this area it is years before anything is done to most parcels.

John B. Tracy

8-18-08

case 39576

subcase 74-179C

74-180B

To Whom it may concern

I Cal Andrews. living up
Bohanan Creek on the Cruise Ranch
Belonging to Jay and Norma Wellard in
1957-1958. Frank Stodard. own the property
where the Tracy Family lives. Frank Put
up hay irrigated-Flood and Sprinkle. cleared
the land in 1955-this was Before Stokes
and Jolley. The water rights for the Tracy's
property should remain as it is.

