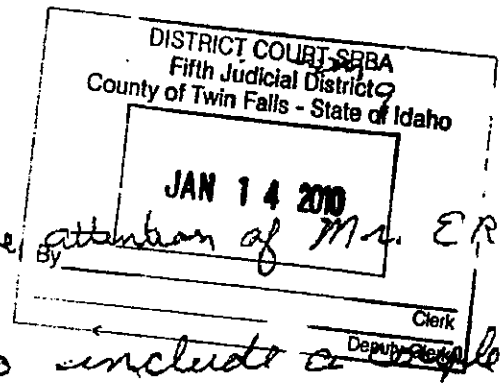


Ref. # 6332533



SRBA Court. to the attention of Mr. Eric J. Wildman.

I wanted to also include a couple of other issues that I would like to be considered. One issue is I feel that the affidavit of Vane Case could be misleading to the Court and SRBA. It states, Mr. Case is life long resident and member of Wilders Board of Directors, testifies that the water diverted under Case drain water right # 63-32533 from Case drain "is waste water that is gathered throughout the Wilder Irrigation District."

I disagree with this gather is to be collected. in my opinion. I have pictures showing this is not running off anyones fields, But is actually running water from under ground springs that feed this drain ditch, Case Drain. Which is publicly owned and water righted to or given to me, or Grandfather, Walter R. Ater.

Another one is that Rightaway issue to get to my point of diversion. We always have gathered at that point.

The letter said to me on this issue that it could be grounds for legal action. I could possibly make water right. Disputed 11

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SF5 Right No. 63-32533

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

An easement or right of way agreement providing for access to the drain, and, if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for letting the water from being diverted under this right.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(5), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is connected with water from Riverside Irrigation District.

~~Water from this right is used for stockwater use.~~ Right 63-4035

Stockwater use is for 100 range cattle.

And Wilder Dringston, Caldwell S.D. office told me which started my problems for Review.

Was that they could and would at any time they wish, tile ditch, Divert, Change this ditch. I disagreed with this So I went to Caldwell on Blain Street, Explained this and what I could do ~~this~~ was the City Hall. and they gave me this paper to fill out. Claim for Damage or injury which I filled out quickly and had to write this all over the paper.

I should have used a mother piece of Paper. refer to Page #13 brought it back to Wilder Dringston and ask them to Notarise this.

they Refused, So Maria and Matt, Bill and my self. had to go over, to the Bank 1 Block or So away and Had. it Notarised. I then came back gave it to Wilder Dringston, then sent it to there Attorneys. when ask to Respond.

I question this Matter also. and would ask you to Review this. I will Send also, my other correspondence with the SRBA and these attorneys. and other People. I was ask to Respond to. Pages Numbered #14. #15 #16. Sent to all Parties.

Thank you
Joe Aten.

Page #13.

Drainage
Will be Referred to Notarize these Documents

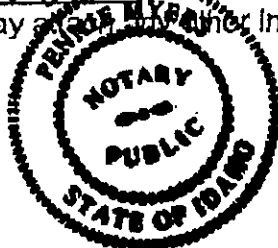
CLAIM FOR DAMAGE OR INJURY

(NOTE: It is a requirement that this form, if used, be presented to and filed with the clerk or secretary of the public entity involved. This form is being provided as a courtesy to assist you in filing your claim. Providing this form to you is not an admission nor shall it be construed to be an admission of liability or an acknowledgement of the validity of a claim by the political subdivision. Legal requirements for filing claims can be found in Title 6, Chapter 9, Idaho Code. All claims must be filed promptly, in writing!)

Main Mainer Mathewson

Name: <u>Bill Aten Joe Aten</u>		Phone Number: (Home) <u>462-6963</u>	(Work) <u>250-3450</u>
Current Address: <u>30588 Peckham Rd Wilder ID 83676</u>			
Address for the Six Months Immediately Prior to the Date the Damage or Injury Occurred: <u>Same</u>			
Date Damage or Injury Occurred: <u>Pending</u>		Time: <u>open</u> A.M. or P.M.	
Location of Occurrence: <u>Case drain</u>			
Any Injuries? <u>Stress</u> If so, what type? <u>and missing work to</u>			
Describe How Damage or Injury Occurred: <u>Fight the adjudication on water</u>			
<u>The State of Idaho gave this family a water Right #6332533 in 1983, and this water is needed to irrigate 600 acres, stockwater also. Wilder Irrigation put in a check, and gates controlling this. Payments for Drainage have been Paid Every year, for this use. Wilder Irrigation tells me they can take this water Right from me, giving by the state and this is to protect this from happening.</u>			
I hereby certify that I have read the above information and it is true and correct to the best of my knowledge. <u>Joe Aten</u>			
I hereby make a claim against <u>Wilder Irrigation district</u> a public entity, for <u>water damage</u> (damage, injury, etc.) in the amount of <u>money paid</u>			
<u>Claiming my water Right 6332533 to remain and supplied as always have been, from to any Development which may stop this use of water. State law I believe simply Rules</u>			
DATE: <u>8-18-08</u>		SIGNATURE: <u>Joe W Aten Per Dullesten</u>	

(You may attach other information or documentation you desire.)



Penne Meyer
Notary Public
Comm. expires 7-16-2014
Reeder Ada County

8 pages

Page 14

This is a Letter to Challenge
the Denial of our letter to Adler on
a second occasion all on one ~~page~~ to clear

That must be taking place.
or. I would not be being advised
as the Claimants.

I ask on this time to see
the Judge that will preside over this
So. at what time we can figure out if
I can have a Jury to hear this
Case of some defect in my water weight
night messenger, without me being able
to predict time and more

And again I do feel that I can't be
treated fairly with out a Jury to decide
if all the doings of this matter are
just. they need to see what if this
wright gets taken, or altered such as filling
the ditch or what every that we can figure
out, how this 6.75 acre parcel will remain
to receive water as granted By the State
of Idaho in 1933 Road record.

Note. I have many times and
to have this look at for Decision
but no one seem to show
up to discuss the ditch its
spring and the Binnert Wrights on the
ditch.

William Allen
Mother Allen
William Allen

And I still see no written
proof that has been presented
to agree to any such stipulations
My original water right which carry
thru my ownership and many other factors
such as signed documents that this
water right shall be granted.
this is need to present, as no one
objected to this and then State of Idaho
granted this right for water.

In Ref. SRBA

Page # 16

1022-09

Case # 39576

I have a lot more to discuss about this matter. Please be informed of this not just ^{for} this.

This is a letter to alter or amend the ability of Wilder Irrigation to put into law to change or alter, the case decision ditch, so that they make me loose my Right #6332533 or have the ability to do so.

The Ladies of Wilder Irrigation told me the Can em will do this any time they see fit. I totally disagree.

This water right is from 1933 obtained from the State. By my grandfather, there is and are no documents showing my signature to the agreement of this statement of change or defer or alter this in any manner, if so, show me this document, also I believe this 1933 water right 6332533, is a grandfather water right. It is older than anyone trying to dispute this issue. Also there is an underground spring in this ditch it should not dry up, which Wilder Irrigation states that it could. I have been here 54 years and it has not. Also my Riverside Right should not be allowed for discussion. It does not pertain to this water right 6332533.

I will be requesting a jury trial by my peers to decide this matter. Because of the issue of, I don't bill that I can have a fair trial without a jury.

Bill Allen

Marion M. Frank, your daughter

Matthew Allen