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MAR 27 2010

DEPARTMENT OF
WATER RESOURCES

Claimant Name:
Pioneer Moon, L.L.C.

Attorney Name & Address:
James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, Idaho 83340
Phone: (208) 726-4421
FAX: (208) 726-0752
E-mail: jim@speckandaanestad.com

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 37-260
	)	
Case No. 39576	)	AFFIDAVIT OF JAMES P. SPECK IN
	)	SUPPORT OF MOTION TO FILE LATE
	)	OBJECTION
	)	

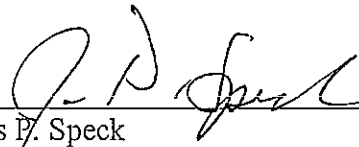
STATE OF IDAHO)
 :SS
County of Blaine)

I, JAMES P. SPECK, being over the age of eighteen years, make this affidavit based on personal information.

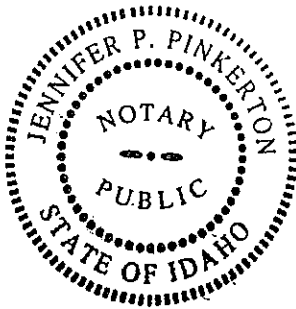
1. I am a shareholder of the law firm of Speck & Aanestad, a Professional Corporation, the counsel of record for Pioneer Moon, L.L.C., the Claimant for this water right.
2. Attached hereto as **Exhibit A** is a copy of the original Notice of Claim filed by

Barbara McQueen for this water right.

DATED this 19 day of March, 2010.


James P. Speck

SUBSCRIBED AND SWORN TO before me this 19 day of March, 2010.




NOTARY PUBLIC for Idaho
Residing at: Ketchum, ID
Comm. Expires: 2/9/15

CERTIFICATE OF SERVICE

I hereby certify that on the 19 day of March, 2010, I served a true and correct copy of the foregoing AFFIDAVIT OF JAMES P. SPECK IN SUPPORT OF MOTION TO FILE LATE OBJECTION on the following persons in the manner designated below:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Pioneer Moon, L.L.C.
PO Box 2881
Ketchum, ID 83340

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

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

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

EXHIBIT A

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

RECEIVED

Ident. Number: A37-00260
Date Received: 10/17/1988
Receipt No: 5003572
Received By: AD

OCT 19 1988

Department of Water Resources
Southern Region Office
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BARBARA J. MCQUEEN 208-726-5924
Address: P.O. BOX 702
KETCHUM, ID 83340

2. Date of Priority: JUN 01, 1884

3. Source: BIG WOOD RIVER, EAST FORK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	19E	22	NE	SW	SW		BLAINE
		28	NE	SE	NW		BLAINE
			NW	SE	NW		BLAINE
			SW	SE	NW		BLAINE
			NW	NW	SW		BLAINE
		29	NE	NE	SE		BLAINE
			SE	NE	SE		BLAINE

5. Description of diverting works:

GOOD-KNIGHT #19 HEADGATE, THERE ARE 6 ADDITIONAL PDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		
STOCKWATER	04/01	11/01	0.050		

7. Total Quantity Appropriated is:

3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 375.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 150 HD. LIVESTOCK.

A37-00260

Page 1

Date: 10/24/88

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	19E	28	NE		NE		IRR	15.0
			NW		NE		IRR	15.0
			SW		NE		IRR	16.0
			SW		NW		IRR	11.0
			SE		NW		IRR	8.0
			SE		NW		IRR	20.0
			NE		SW		IRR	3.0
			NW		SW		IRR	19.0
			NW		SW		IRR	3.0
			Section Acres 110.0					
		29	NE		SE		IRR	8.0
			SE		SE		IRR	32.0
			Section Acres 40.0					
			Total Acres 150.0					

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

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: 2/3

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): Burling Alkham Date: 07.25.1988
_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of October 19 88

Quito D. McQuade
Notary Public

Seal

Residing at Hailey
My Commission Expires July 16, 1991

Ident. No. _____

FACT SHEET..

for

Excessive Irrigation Flows

This information is to be submitted with any application for permit or adjudication claim to water right for which the irrigation rate of flow requested/claimed is more than .02 cfs per acre. One exception is that .03 cfs per acre is allowed for up to five (5) acres.

Soil type and soil profile: Baldwin Sandy loam: 0-9" Gr Ss Lo; 10-17" VGr Ss Lo 17-60" Ex. Col

Soil water holding capacity: 2.9" in 4 feet

Soil intake family (if known): 4

Field slope: 0-2%

Anticipated crops: Pasture

Method of irrigation: Flood

ADJUDICATION CLAIM ONLY:

Is this method of irrigation the common local practice? yes

Have you changed the irrigated method from the one first developed? _____

If yes, describe. _____

Remarks Delivery loss estimated at 10-15% per
mile Hallock SCS - 10-18-88.

Peter: 788-9630.

