

AUG 06 2004

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-4170

Date Received: 8-9-04

Receipt No: COT4801

Received By: *MC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MAX LAMBORN Phone: (208)322-1439
2725 ARGENTINA LN
BOISE ID USA 83704

DELORAS M LAMBORN Phone: (208)322-1439
2725 ARGENTINA LN
BOISE ID USA 83704

2. Date of Priority: 04/01/1968

3. Source: SPRING Trib. to: CALIFORNIA GULCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	04E	14	NE NW	BOISE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses: 1 home

COPY

RECEIVED

AUG 13 2004

WATER RESOURCES
WESTERN REGION

SCANNED

AUG 10 2004

RECEIVED

AUG 6 2004

DEPARTMENT OF
WATER RESOURCES

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	04E	14	NW	NE	DOMESTIC	

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? No[] Yes [☒]

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

LAMBORN

63-4170

07/27/2004

SCANNED
AUG 10 2004

RECEIVED

AUG 6 2004

DEPARTMENT OF
WATER RESOURCES

Number of attachments: 0

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):

Wesley Lamborn
Delorus M Lamborn

Date:

8-4-04

Date:

8-4-4

State of Idaho

County of *Ada*

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 4th

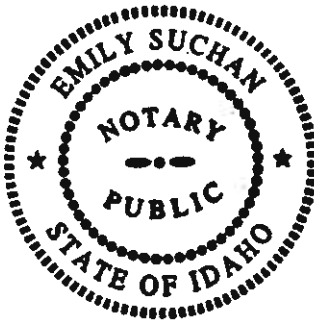
of *August* 2004

Emily Suchan

Notary Public

Residing at *Boise, ID*

My commission Expires *8/25/06*



LAMBORN

63-4170

07/27/2004

SCANNED
AUG 10 2004

RECEIVED

MAR 05 2008

DEPARTMENT OF
WATER RESOURCES

JUDICIAL DISTRICT	
County of Twin Falls - State of Idaho	
MAR - 4 2008	
By _____	Clerk
Deputy Clerk	

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	) SPECIAL MASTER'S REPORT
	)
Case No. 39576	) FINDINGS OF FACT AND
	) CONCLUSIONS OF LAW
	)
_____	) FOR WATER RIGHT 63-04170

I. FINDINGS OF FACT

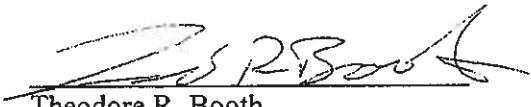
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 14, 2007, the United States of America, Department of Interior, Bureau of Land Management, filed an objection to the *Director's Report*, asserting that the place of use and point of diversion should not include federal public land. On February 29, 2008, the parties to the subcase filed a *Standard Form 5 – Stipulated Elements of a Water Right*, which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

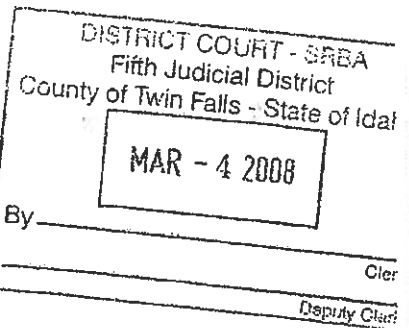
Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-04170 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated March 4, 2008


Theodore R. Booth
Special Master
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-04170



NAME AND ADDRESS: DELORAS M LAMBORN
MAX LAMBORN
2725 ARGENTINA LN
BOISE, ID 83704

SOURCE: SPRING TRIBUTARY: CALIFORNIA GULCH CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1968

POINT OF DIVERSION: T07N R04E S14 NENW Within Boise County

POINT OF DIVERSION DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.02 CFS

Domestic use is for 1 home.

PLACE OF USE: Domestic Within Boise County
T07N R04E S14 NWNE

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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

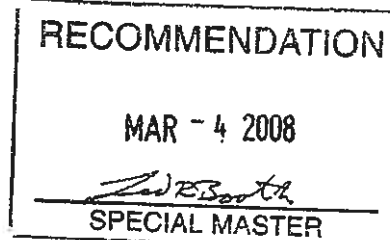
The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



DISTRICT COURT
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR - 4 2008

By _____ Clerk
Deputy Clerk

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

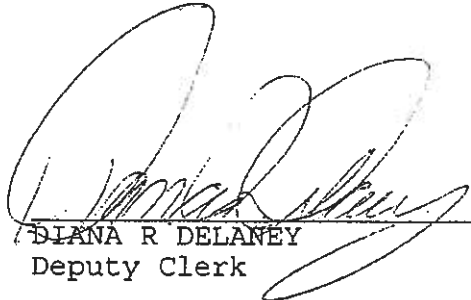
Water Right(s) : 63-04170

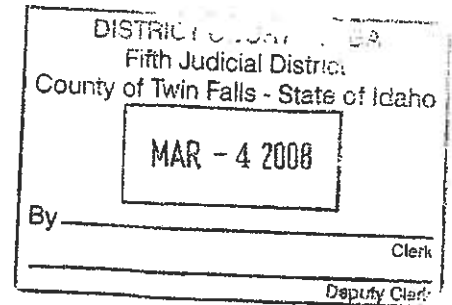
On March 04, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED March 04, 2008.


DIANA R. DELANEY
Deputy Clerk



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)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 63-04170

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 04, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

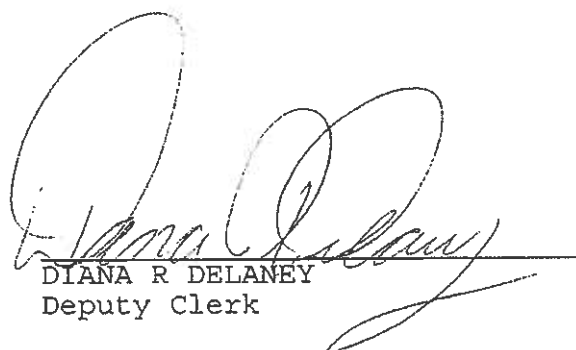
UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MAX & DELORUS M LAMBORN
2725 ARGENTINA
BOISE, ID 83704
Phone: 208-322-1439

CERTIFICATE OF MAILING

PAGE 1
03/04/08

DELORAS M LAMBORN
MAX LAMBORN
2725 ARGENTINA LN
BOISE, ID 83704
Phone: 208-322-1439



DIANA R DELANEY
Deputy Clerk

RECEIVED

MAR 04 2008

DEPARTMENT OF
WATER RESOURCES

RECEIVED

FEB 07 2008

WATER RESOURCES
WESTERN REGION

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

RECEIVED

In Re SRBA

Subcase No. 63-04170

FEB 14 2008

Case No. 39576

Standard Form 5

DOJ/BOISE

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

Max Lamborn

Deloras M. Lamborn

Max Lamborn

Deloras M. Lamborn

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown FWP

Attorney, U.S. Department of Justice

Environment and Natural Resources Div.

IDWR CONCURRENCE:

Sandy Egbert

GIS Specialist

IDWR CONCURRENCE:

Nicholas B. Spencer

Deputy Attorney General

Standard Form 5

Subcase No. 63-04170

RECEIVED
BLM ISO MR

NOV 02 2007 Page 1

9:00 A.M.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4170

NAME AND ADDRESS: MAX LAMBORN
2725 ARGENTINA LN
BOISE ID 83704

DELORAS M LAMBORN
2725 ~~ARGENTINA~~ ARGENTINA LN
BOISE ID 83704

SOURCE: SPRING TRIBUTARY: CALIFORNIA GULCH CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed
13,000 gallons per day.

PRIORITY DATE: 04/01/1968

POINT OF
DIVERSION: T07N R04E S14 NENW

m.l. D.M.L. NBS DE
FUP
m.l. D.M.L. NBS DE
Within BOISE County

POINT OF DIVERSION DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1/01 12/31

QUANTITY
0.020 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in BOISE County
T07N R04E S14 NENE

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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

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(6), Idaho
Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

CERTIFICATE OF MAILING

I certify that on February 12 2008 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

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

2. Copy to:

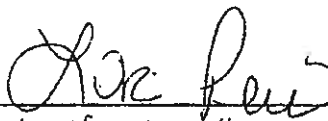
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Max & Deloras Lamborn
2725 Argentina Ln
Boise, Idaho 83704



Signature of person or attorney mailing the form

CERTIFICATE OF MAILING

I certify that on Feb. 28, 2008 mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

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

2. Copy to:

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

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Max & Deloras Lamborn
2725 Argentina Ln
Boise, Idaho 83704


Signature of person or attorney mailing the form

Egbert, Sandy

From: Fredric_Price@blm.gov
Sent: Friday, November 02, 2007 3:34 PM
To: Harvey, Becky; Spencer, Nick; Egbert, Sandy
Cc: larry.brown@usdoj.gov; Casey_O'Brien@blm.gov
Subject: Re: 63-04170; Claimant: Lamborn



63-04170_SF-5_clm
t-signed.pdf



63-04170 SF-5
-IDWR ver.pdf



63-04170 sf-5.pdf

I received the SF-5 back from the claimant today and had someone drop it off at IDWR a little while ago in an envelope to Becky Harvey. Please let me know when I can pick it up so I can get it to Larry for filing.
(See attached file: 63-04170_SF-5_clmt-signed.pdf)

Fred
Price/IDSO/ID/BL
M/DOI
Sent by: Fredric
Price

11/01/2007 10:35
AM

nick.spencer@idwr.idaho.gov,
Becky.Harvey@idwr.idaho.gov,
Casey_O'Brien@blm.gov,
Larry.Brown@usdoj.gov, Sherman
Beazer/IDSO/ID/BLM/DOI,
sandy.egbert@idwr.idaho.gov

To

cc

Subject

Re: 63-04170; Claimant: Lamborn
(Document link: Fredric Price
(Archive))

Everyone,

RE: 63-04170, Lamborn

We just picked up an SF-5 from IDWR (signed by IDWR). The POD version of the "no fed land" remark is not included in IDWR's version. The "no fed land" remark under POU is also not the standard remark. See attached guidance from IDWR.

If it is ok with everyone, I'll wait for the claimant to return the one I sent them on the 30th and bring it over to IDWR for concurrence.

Fred
(See attached file: 63-04170 SF-5 -IDWR ver.pdf)

"Spencer, Nick"
<Nick.Spencer@idwr.idaho.gov>

05/23/2006 03:00
PM

<fred_price@blm.gov>

To

cc

<larry.brown@usdoj.gov>, "Shaff,
Don" <Don.Shaff@idwr.idaho.gov>,
"Williams, Ray"
<Raymond.Williams@idwr.idaho.gov>

Subject

63-15170 (Buchanan)

Hi Fred. Don and I just signed this SF-5 and Don has updated our data base. However, for ones like this that arise in the future Don asked me to let you know that we already have a standard remark in our data base that we use in cases like this. It covers the same ground as the language you used, but the wording is slightly different. It reads simply "Place of use does not include federal public lands." If you could use this wording in the future it would help, because it would allow us to insert the remark simply with one or two keystrokes, rather than having to manually enter the sentence that you used on this SF-5. If there is a problem with using our standard remark, please let me know so that, if necessary, we can change its wording to make it a better fit. In the meantime the SF-5 for 63-15170 is ready for you to have someone come pick up. Should I not be at my desk when your courier arrives, the SF-5 will be on the center front of my desk in plain sight. Thanks. NBS

Fredric
Price/IDSO/ID/BL
M/DOI

10/30/2007 11:17
AM

"Brown, Larry (ENRD)"
<Larry.Brown@usdoj.gov>

To

cc

"Courtney, Andrea"
<Andrea.Courtney@idwr.idaho.gov>,
"Harvey, Becky"
<Becky.Harvey@idwr.idaho.gov>,
Casey_O'Brien@blm.gov, "Spencer,
Nick" <Nick.Spencer@idwr.idaho.gov>,
Sherman_Beazer@blm.gov

Subject

Re: 63-04170; Claimant: Lamborn
(Document link: Fredric Price
(Archive))

Everyone,

RE: 63-04170, Lamborn

Sorry, I've been busy. Attached is the SF-5 that I sent out today to the claimant.

Fred
(See attached file: 63-04170 sf-5.pdf)

"Brown, Larry
(ENRD)"
<Larry.Brown@usdoj.gov>

10/30/2007 08:55
AM

"Spencer, Nick"
<Nick.Spencer@idwr.idaho.gov>,
"Courtney, Andrea"
<Andrea.Courtney@idwr.idaho.gov>,
"Harvey, Becky"
<Becky.Harvey@idwr.idaho.gov>

To

<Fredric_Price@blm.gov>,
<Casey_O'Brien@blm.gov>,
<Sherman_Beazer@blm.gov>

cc

63-04170; Claimant: Lamborn

Subject

Last July 23, I had spoken with the Lamborns' daughter and we had agreed to resolve BLM's objection by adding the "no fed land" remark to the point of diversion element and the place of use element and asked for an SF-5 to be drafted. My records and the court's website tell me no SF-5 was ever filed, thus I must assume that no SF-5 was ever drafted. Please draft an SF-5 so that we may send it to the claimant for signature. Thanks,

Larry

RECEIVED

JUN 21 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)

A. Subcase 63-04170

(Insert water right number
From the Objection Form)

Case No. 39576)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Max E. Delorus M. Lamborn

Address: 2725 Argentina

Boise, ID 83704

Daytime Phone: 208-322-1439

Name & Address of Attorney, if any:

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

Name: US of America Acting through Dept. of Interior,

Address: B.L.M., ID State office

1387 S. Vinnell Way

Boise, ID 83709-1657

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

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)
)ss.
County of Boise)

Max & Delores M. Lamborn, duly sworn, upon oath, deposes and says:
(Name of person filing response)

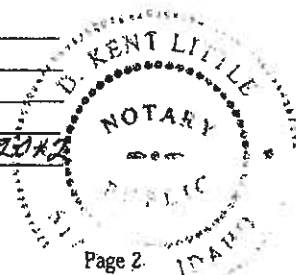
That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

x Delores Lamborn Max Lamborn
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 20, 2007
D. Kent Little
Notary Public for Idaho
Residing at: Boise ID
My Commission Expires: Nov 9 2012



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 June 20, ²⁰~~1990~~²⁰71 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: Mal & Delorus M. Lamborn
Address: 2725 Argentina - Boise, ID 83704

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

Name: U.S. of America - Dept of Interior
Address: Bldg - ID State Office
1387 S. Vinnell Way
Boise, ID 83709-1657

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

Mal & Delorus M. Lamborn
Your signature or signature of attorney
mailing on your behalf

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 63-04170
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Max & Deloras M. Lamborn

Address: 2725 Argenta Ln; Boise, Idaho 83704

Name:

Address: ;

Name:

Address: ;

Name:

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(s) of Diversion**
Should be: See attached.

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Place of Use**
Should be: See attached.

11. **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 OBJECTION(S):

The legal description for element five and nine (POD & POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

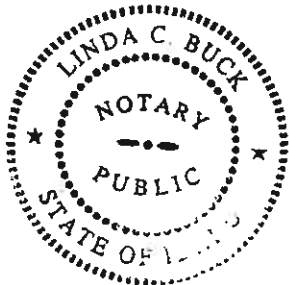
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Barr
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 13 2007

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

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 June 13th, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Max & Deloras M. Lamborn
Address: 2725 Argentena Ln; Boise, Idaho 83704
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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



Signature of Objector or attorney mailing on Objector's behalf

12/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4170
NAME AND ADDRESS: MAX LAMBORN
2725 ARGENTINA LN
BOISE ID 83704
DEBORAS M LAMBORN
2725 ARGENTINA LN
BOISE ID 83704

Mixed POD/POU:

- The point of diversion and place of use identified below contains both private and public lands.
- Please clarify such that only private land is intended.

SOURCE: SPRING
QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

TRIBUTARY: CALIFORNIA GULCH CREEK

PRIORITY DATE: 04/01/1968

POINT OF DIVERSION: [T07N R04E S14 NENW Within BOISE County] Mixed

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	1/01 12/31	0.020 CFS
Domestic use is for 1 home.		

PLACE OF USE: [DOMESTIC in BOISE County]
[T07N R04E S14 NENW] Mixed

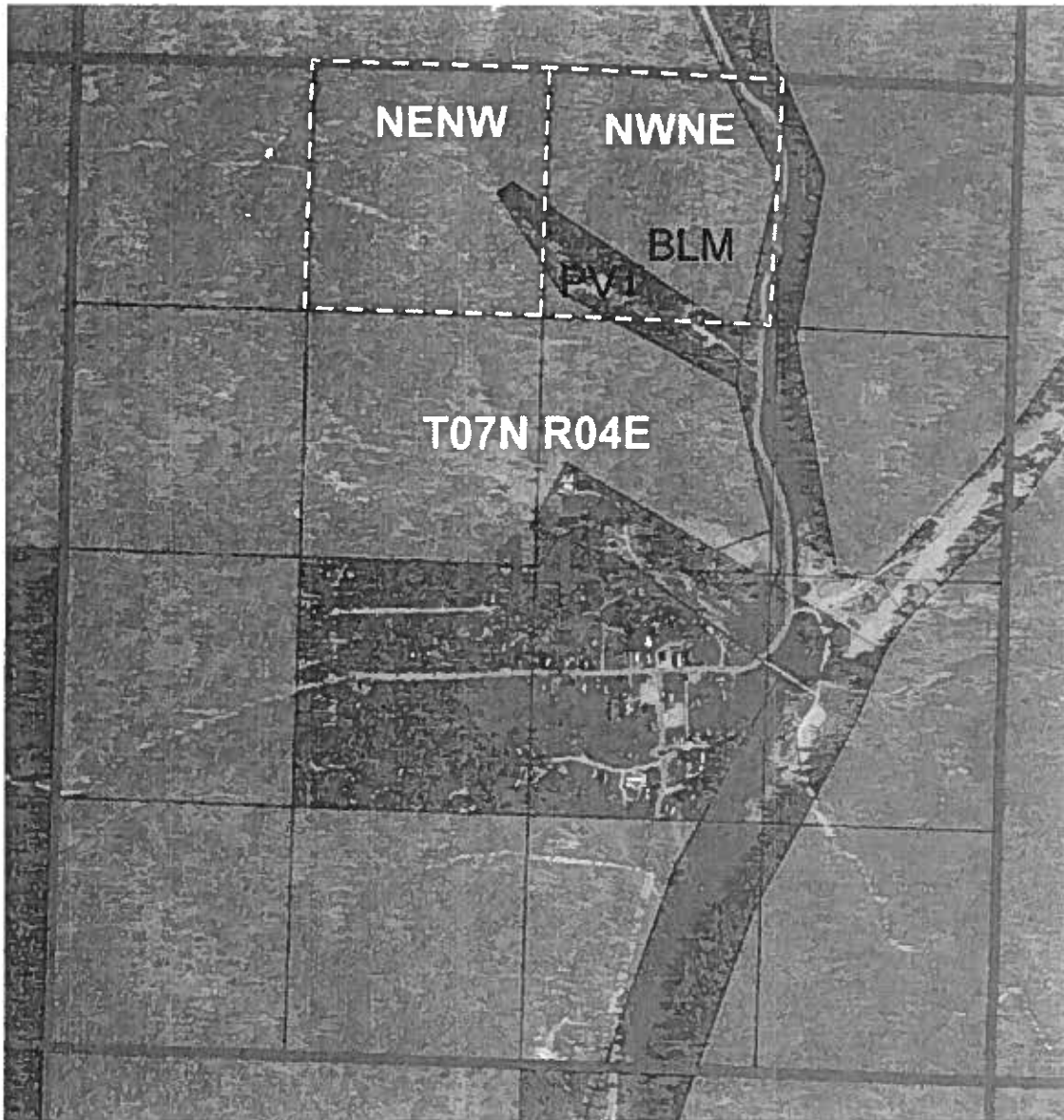
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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(6), Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

63-04170
Max & Deloras Lamborn



Mixed POD/POU:

- The point of diversion T07N R04E S14 NWNE and place of use T07N R04E S14 NENW contains both private and public lands.
- Please clarify such that only private land is intended by inserting the following remark under point of diversion:

"The point of diversion does not include federal public land."

and the following under place of use:

"The place of use does not include federal public land."

10124 00:14:51 346 02

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

INDEX TO SEGREGATED TRACTS

[illegible]

10957-1526181 1st Cong 7/22/1955
 10958-1526182 1st Cong 7/22/1955

FOR ACTIONS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX
MISCELLANEOUS DOCUMENTS

CL 54201 12

ON WITHDRAWALS REPRESENT THE LAST
NOT BE THE EFFECTIVE DATE. SEE
FOR THE DATE OF THE ORIGINAL WITH-

Kaufmann & Frahm

[illegible]

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-4170

MAX LAMBORN
2725 ARGENTINA LN
BOISE ID 83704
Telephone Number: (208)322-1439

DELORAS M LAMBORN
2725 ARGENTINA LN
BOISE ID 83704
Telephone Number: (208)322-1439

RECEIVED

OCT 19 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-13-06

SIGNATURE:

Max Lamborn Deloras Lamborn

Please print your name:

MAX LAMBORN DELORAS LAMBORN

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

01/06/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4170

NAME AND ADDRESS: MAX LAMBORN
2725 ARGENTINA LN
BOISE ID 83704

DELORAS M LAMBORN
2725 ARGENTINA LN
BOISE ID 83704

SOURCE: SPRING TRIBUTARY: CALIFORNIA GULCH CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1968

POINT OF DIVERSION:

T07N R04E S14 NENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.020 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within BOISE County

T07N R04E S14 NWNE

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

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(6), Idaho Code.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use