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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) Subcase No: 00-91013
Case No. 39576) (Basin-Wide Issue 13)
)
) OBJECTION RE: STATE OF
) IDAHO'S *SECOND AMENDED*
) *MOTION TO INCLUDE*
) *SUBORDINATION LANGUAGE ON*
) *WATER RIGHTS AFFECTED BY THE*
) *SWAN FALLS AGREEMENT*

Please Print or Type the Following Information:

NAME AND ADDRESS OF PERSON OBJECTING:

Name: Richard Winberg
Address: 1027 S 2600 W Aberdeen, ID 83210
Phone: 208-681-0220

Name and Address of Attorney, if any:

Water Right Number for which I am objecting: 35-8201
(Please use one *Objection* form per water right)

Please Check Applicable Box:

☐ I have reviewed the State of Idaho's *Second Amended Motion*.

I wish to object to my water right not being included on the list of water rights
on Attachment A.

OBJECTION RE: STATE OF IDAHO'S *SECOND AMENDED MOTION TO INCLUDE*
SUBORDINATION LANGUAGE ON WATER RIGHTS AFFECTED BY THE SWAN FALLS
AGREEMENT

☐ The reason(s) I believe my water right should be included on Attachment A are as follows: *

☒ I wish to object to my water right being included on the list of water rights on Attachment B.

☒ The reason(s) I believe my water right should not be included on Attachment B are as follows: * The well used on this property was put in around 1950's. We have attached documentation that states that more water rights were applied for this property, the water was used for many years under the same point of diversion. This property and water rights has been used continuously since the well was installed in 1955.

☒ I have included proof with this Objection supporting that beneficial use was made under the right prior to October 25, 1984.

Signature: Richard Winberg Dated: 5-19-11

* Attach additional sheets of paper as necessary to provide complete explanation.

OBJECTION RE: STATE OF IDAHO'S SECOND AMENDED MOTION TO INCLUDE SUBORDINATION LANGUAGE ON WATER RIGHTS AFFECTED BY THE SWAN FALLS AGREEMENT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May, 2011, a true and correct copy of the foregoing was mailed with sufficient first-class postage to the following:

DIRECTOR OF IDWR
P.O. Box 83720
Boise, Idaho 83720

Faulkner Land & Livestock Co.
North Snake Ground Water District

Represented by:
Thomas J. Budge
PO Box 1391
Pocatello, ID 83204-1391

Basin and Range Resource
Interested Water Users
Jeff & Jackie Harper

Represented by:
Dana L. Hofstetter
608 W Franklin St
Boise, ID 83702

Idaho Ground Water Appropriators
Represented by:
Randall C. Budge
PO Box 1391
Pocatello, ID 83204-1391

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

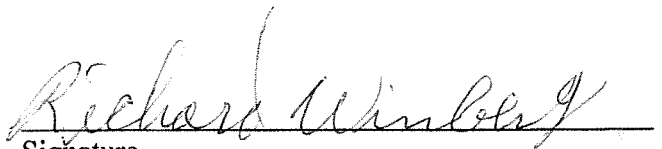
Burgess Canal, *et al.*
Represented by:
Jerry R. Rigby
Po Box 250
Rexburg, ID 83340-0250

Clear Spring Foods Inc.
Idaho Power Company
Represented by:
John K. Simpson
PO Box 2139
Boise, ID 83701-2139

City of Pocatello
Represented by: Josephine P. Beeman
409 W Jefferson St
Boise, ID 83702

STATE OF IDAHO
Office of Attorney General
Attn: Clive Strong / Shasta Kilminster-Hadley
P.O. Box 83720
Boise, ID 83720

SRBA DISTRICT COURT
P.O. Box 2707
Twin Falls, Idaho 83303-2707


Signature

FROM: RICHARD & MYRNA WINBERG
1027 S 2600 W
ABERDEEN ID 83210

27 OCT 1992

(208) 397-4416

TO: IDAHO DEPARTMENT OF WATER RESOURCES

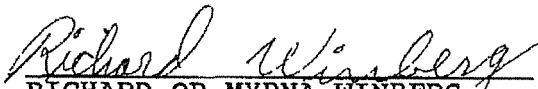
RE: AMENDMENT TO PERMIT 35-08201

THE ATTACHED PERMIT IS BEING AMENDED TO COVER GROUND THAT HAS BEEN IRRIGATED FOR A NUMBER OF YEARS UNDER THE SAME POINT OF DIVERSION UNDER 35-02430 & 35-02434. LICENSES 35-02430 & 35-02434 HAVE INSUFFICIENT ACREAGE TO COVER THE ADDITIONAL GROUND CURRENTLY IRRIGATED UNDER THE SYSTEM. THE SYSTEM IS ADEQUATE TO IRRIGATE THIS AMENDED PLACE OF USE.

LICENSE 35-07798; HOWEVER, HAS SUFFICIENT GROUND AND WATER TO COVER THE ORIGINAL PLACE OF USE UNDER THIS PERMIT (I.E. S1/2NE1/4 SEC 26, T04S, R31E).

PLEASE PROCESS THIS AMENDMENT AS QUICKLY AS POSSIBLE.

SINCERELY,


RICHARD OR MYRNA WINBERG

MAILED 1050

DEC 08 1992