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JAN 16 2007

DEPARTMENT OF
WATER RESOURCES

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455. S. Third Street, P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591
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Attorneys for Objectors

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 No. 77-4049

(Insert water right no.)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Steve and Shelly Rambo (See Attachment A for the List of all Objectors).

Address: 1475 Macc. Eagle, Idaho 83616

Daytime Phone: (208) 342-7970

Name & Address of Attorney, if any:

S. Bryce Farris

Ringert Clark Chartered

P.O. Box 2773, Boise, Idaho 83701

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

Name: Mackay Bar Corporation

Address: P.O. Box 7968

Boise, Idaho 83707

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: Should include the Objectors.
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Should include a sufficient quantity to serve Claimant and Objector's property.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
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: Should include and be appurtenant to Objectors' property.
10. ☐ **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):** This water right serves Objectors' property.

Please see the affidavit in support of Shelly Rambo previously filed with the Court.

F.

VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

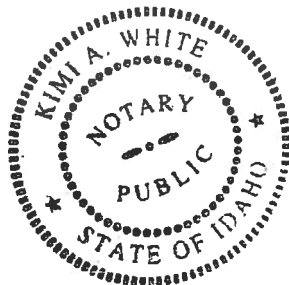
G. Bryce Farris, duly sworn, upon oath, deposes and says:
(Name of person Filing Objection)

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.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 12, 2007



Kimi A. White
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 04/01/10

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.

CERTIFICATE OF MAILING

I certify that on January 12, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: John Marshall, Givens Pursley, LLP

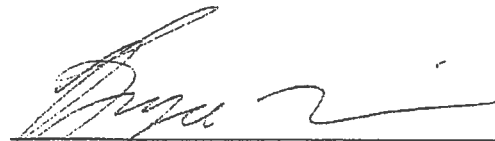
Address: 601 W. Bannock Street, P.O. Box 2720, Boise, Idaho 83701-2720

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

Exhibit A

1. Farris Scott and Victoria M. Lind
2. Roger Anderson
3. Steve and Shelley Rambo, Rod and Chris Higgins and Marvin Thomas
4. Harvey Geis, Dennis and Kim Geis and Jon Vanderhoef
5. James and Carrie Cheatham, Eldon and Chereese Howard, Frank Fritzie and Gary and Kathy McLean
6. Brian and Sandra Anderson
7. Wendel and Jan Holton
8. Michael D. and Sally Gerhard, Arthur C. Jones III and Margaret V. Jones, Charles D. and Barbara K. Jones, Clyde Gerhard and Richard M. Phillips and Gregory Obendorf

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: A77-04049
Date Received: 6/16/1988
Receipt No: C001395
Received By: CA

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MACKAY BAR CORP. 208-344-1881
Address: 3190 AIRPORT WAY
BOISE, ID 83705

2. Date of Priority: JAN 01, 1967

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	08E	32		NE	NW		IDAHO

5. Description of diverting works:
PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	08E	32				IRR	25.0
Section Acres							25.0

A77-04049

Page 1

Date: 07/06/88

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Total Acres 25.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/D & P/U INCOMPLETE. UNSURVEYED AREA DESCRIBED BY H.E.S.
NO. 537. AC. IRR. = 25.

15. Basis of Claim: STATUTORY CLAIM

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

Date _____

OCT 05 1992

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: A77-04049
Date Received: 5/16/1988
Receipt No: 000 1395

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MACKAY BAR CORP. 208-344-1881
Address: 3190 AIRPORT WAY
BOISE, ID 83705

2. Date of Priority: JAN 01, 1967

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	08E	32		NE	NW		IDAHO

5. Description of diverting works:
PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	08E	32				IRR	25.0
Section Acres							25.0
Total Acres							25.0

A77-04049

Page 1

Date: 05/16/88

MICROFILMED
OCT 05 1992

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
P/D & P/U INCOMPLETE. UNSURVEYED AREA DESCRIBED BY H.E.S.
NO. 537. AC. IRR. = 25.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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:

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): Sam Christensen Date: 5-16-88

Gen Mgr Mackay Bar Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of May 19 88

Anna Becken
Notary Public

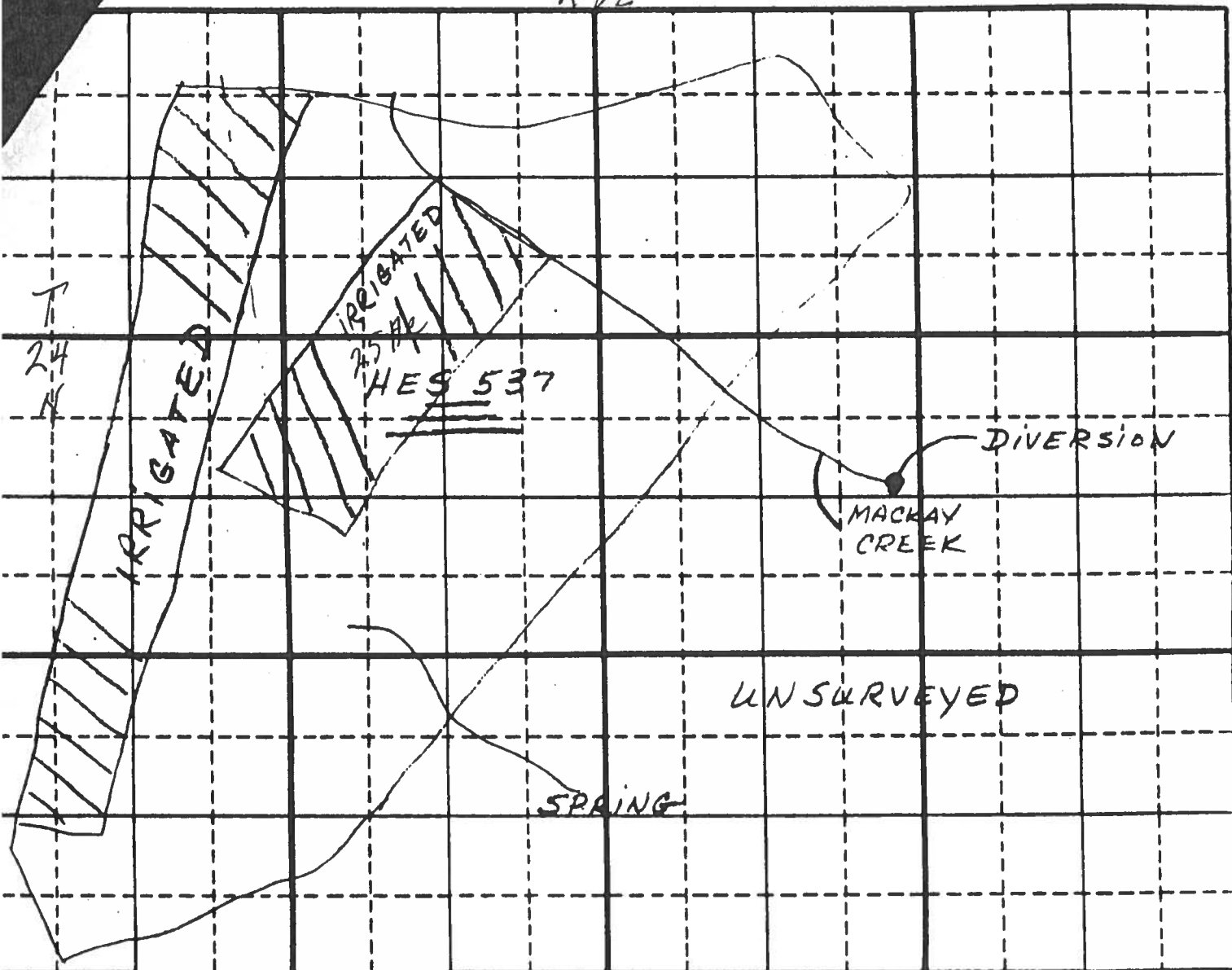
Seal

Residing at Caldwell, ID

My Commission Expires 3/31/94

Sprinkler irrigation water pumped directly from
Main Salmon River for use in irrigation of horse pasture.

R8E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Richard C. [Signature]

(Claimant)

MICROFILMED

Sworn to before me this 22nd day of January, 19 80.

OCT 05 1980

04/21/2005

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

RIGHT NUMBER: 77-4049

NAME AND ADDRESS: MACKAY BAR CORP
3190 AIRPORT WAY
BOISE ID 83705

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS

This right when combined with 77-2088 and 77-4045 shall provide no more than 50 acres of irrigation.

PRIORITY DATE: 01/01/1967

POINT OF DIVERSION:

T24N R08E S32 NENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R08E S32	NWNE	4.0	T24N R08E S32	NENW	8.0
T24N R08E S32	SENE	11.0	T24N R08E S32	NESW	2.0

25 ACRES TOTAL

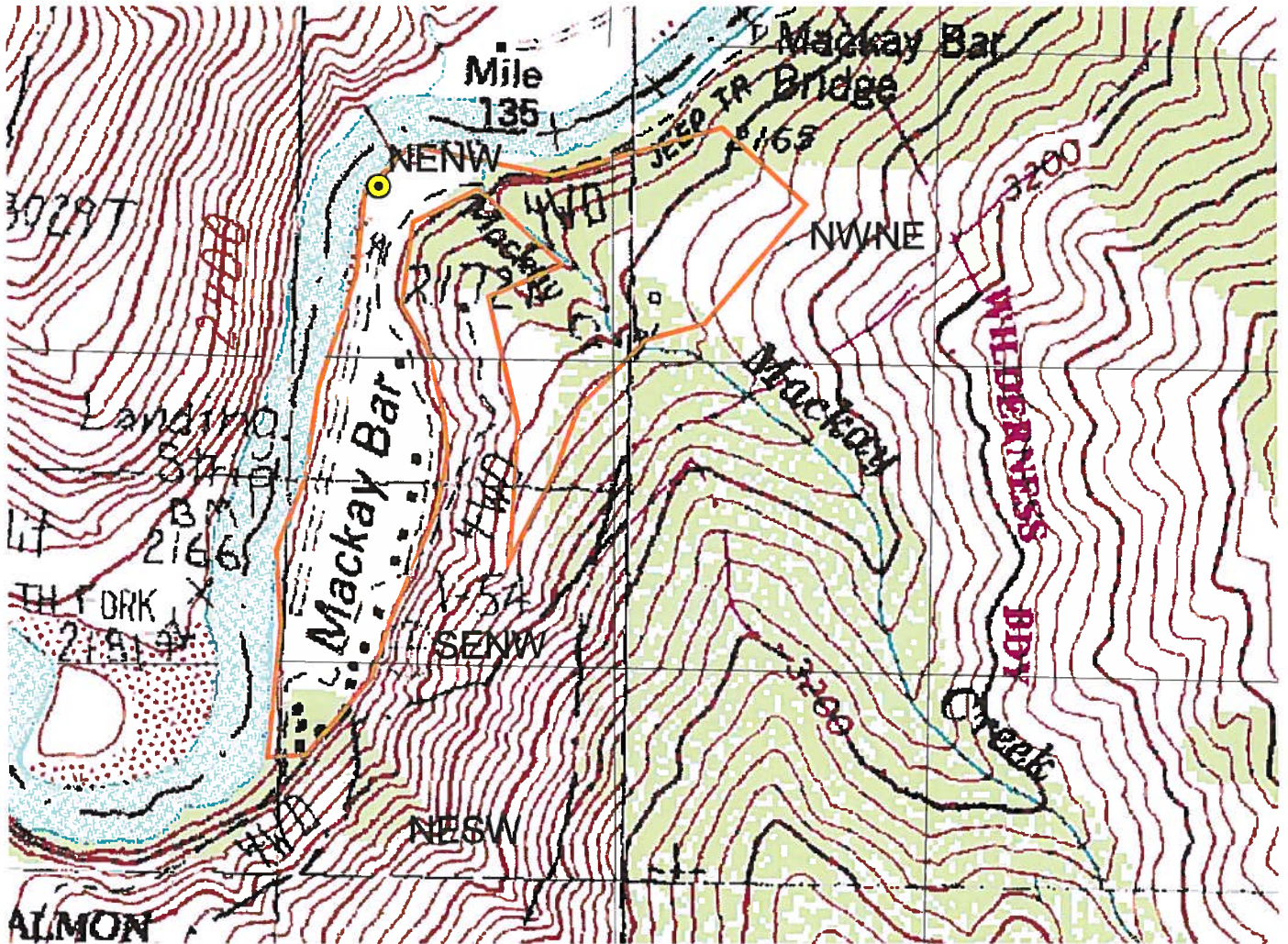
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 537.

EXPLANATORY MATERIAL: Beneficial Use

77-4049



0 300 600 Feet

Section 32
T24N R8E

● Point of Diversion

Place of Use

Map prepared on April 20, 2005
By Kenneth Knoblock
Idaho Department of Water Resources