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JAN 23 2013

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. 36-16908

)

(Insert water right number)

Case No. 39576

)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Larry and Nan Stone

Address: P.O. Box 1331

Sun Valley, ID 83353

Daytime Phone: 788-9461

Name & Address of Attorney, if any:

Fritz X. Haemmerle

P.O. Box 1800

Hailey, ID 83333

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

Name: (see above)

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. **X Name and Address**
Should be: As claimed (See Exhibit 1)
2. **X Source**
Should be: As claimed (See Exhibit 1)
3. **X Quantity**
Should be: As claimed (See Exhibit 1)
4. **X Priority Date**
Should be: As claimed (See Exhibit 1)
5. **X Point of Diversion**
Should be: As claimed (See Exhibit 1)
6. **X Instream Flow Beginning and Ending Point**
Should be: As claimed (See Exhibit 1)
7. **X Purpose(s) of Use**
Should be: As claimed (See Exhibit 1)
8. **X Period of Year**
Should be: As claimed (See Exhibit 1)
9. **X Place of Use**
Should be: As claimed (See Exhibit 1)
10. **X I object because:**

☐ This water right Should not exist.

X This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** Recommendation does not reflect actual and historical beneficial use.

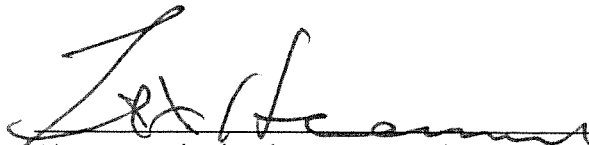
F. **VERIFICATION** (must be completed)

State of Idaho)
)ss.
County of Blaine)

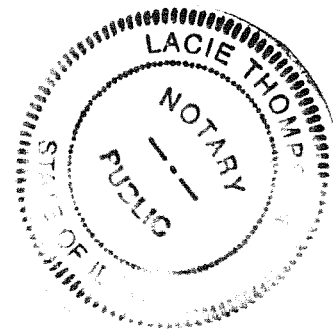
Fritz X. Haemmerle, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 21, 2013
Lacie Thompson
Notary Public for Idaho
Residing at: Haiton, ID
My Commission Expires: 1/28/2014



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 January 21, 2013, 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:

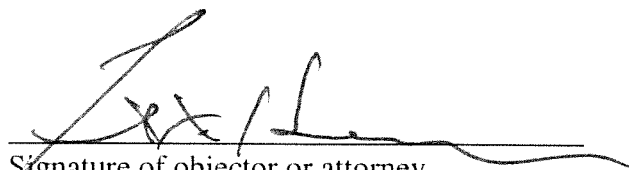
Larry Stone
Nan Allison-Stone
P.O. Box 1331
Sun Valley, ID 83353

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

EXHIBIT 1

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 36-16908

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Richard Larry Stone and Nan Allison Stone Phone (208) 622-8122

Mailing Address P.O. Box 1331

Sun Valley

ID

ZIP 83353

2. Date of Priority (Only one (1) per claim) January 1, 1956
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Billingsley Creek
which is tributary to (b) Snake River

4. a. Location of Point of Diversion is: Township 7S, Range 13E, Section 11,
SE, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Gooding

Parcel (PIN) no. Unknown

Additional points of diversion If any: None

If available, GPS Coordinates Not available

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Water is conveyed from Billingsley Creek to the local area in the Buckeye Ditch. A small ditch diverts water from the Buckeye Ditch to a constructed pond (Pond #1) on the

applicants' property. Water from Pond #1 is discharged to a ditch which conveys water to a second constructed pond (Pond #2, claimed under 36-16923). Water is discharged from Pond #2 to a ditch which conveys water to the Bell Ditch. This is a claim for Pond #1.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Diversion to Storage purposes from 1/1 to 12/31 amount 0.20 or _____

For Wildlife Storage purposes from 1/1 to 12/31 amount _____ or 4.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (cfs) and/or (b) 4.0 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Wildlife habitat for water fowl

9. Description of place of use: WS = Wildlife Storage

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	13E	23							WS										

Parcel (PIN) no(s) Unknown

Total number of acres irrigated n/a

10. In which county (ies) are lands listed above as place of use located? Gooding

11. Do you own the property listed above as place of use? Yes (✓) No ()
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

SRBA Claim No. 36-16923 is for an additional pond.

or None ()

13. Remarks: Pond #1 has a surface area of 0.4 acres and is 10' deep.

Last Name Stone

Identification No. 36-16908

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile

See Attached Map.

Last Name Stone

Identification No. 36-16908

14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, Fritz X. Haemmerle, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature] Date 5/25/12

Address P.O. Box 1800

Hailey, ID 83333

T07S R13E S23

Pond #2

Pond #1

— Bell Ditch
— Buckeye Ditch
Local Ditches

Stone - Late Claims
36-16908, 36-16923

1

250

Feet

 **SPF WATER**
ENGINEERING