

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 the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-10764 -0001

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

36-10764 -0001/
93-08-0455

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: DEPT OF INTERIOR
3380 AMERICANA TERRACE
BOISE ID 83706

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

9. ☒ Place of Use: I respond to the objection concerning:
9a. ☒ The legal description of the place of use.
14. ☒ Other: I respond to the objection concerning:
OMISSION OF INFORMATION CONCERNING THE LOCATION
OF THE PLACES USE

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 9, 9.a, and 14, and all allegations of the objection regarding these items, IDWR responds as follows.

There is an error in the description of the place of use of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law." IDWR denies the objection and all allegations of the objection except as expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

	No. of Pages
Notice of Claim No. A36-10764	4
Recommended Water Rights Acquired Under State Law	1

(Over)

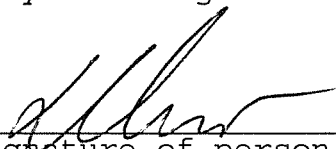
VERIFICATION (Must be Completed)

State of IDAHO

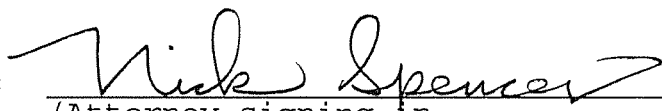
County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

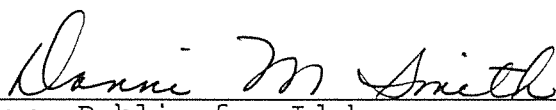


Signature of person filing response

By: 

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 16TH day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

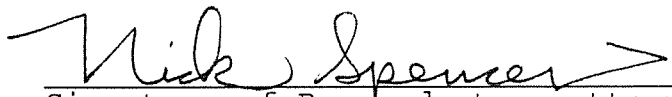
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: REHWALT FARM PARTNERSHIP
Address: C/O LE ROY W REHWALT
1066 S 2400 E
HAZELTON ID 83335

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734



Signature of Respondent or attorney
mailing on Respondent's 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-10764
Date Received: 8/30/1988
Receipt No: 5001927
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REHWALT FARM, PARTNERSHIP 208-829-5182
Address: % LE ROY W. REHWALT
1066 SOUTH 2400 EAST
HAZELTON, ID 83335

2. Date of Priority: FEB 11, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	19E	15	NE	NW	SE		JEROME

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE WITH YARD, S/ 50 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	19E	15				STOCK	

A36-10764

Page 1

Date: 08/30/88

MICROFILMED
FEB 10 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	19E	15	NW	SE		DOMEST	

11. Place of use in counties: JEROME .

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

13. Other Water Rights Used:
NONE

14. Remarks:
PRIORITY BASED ON BILL FROM WELL DRILLER.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
FEB 10 1993

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: 1

For Organizations:

I do solemnly swear or affirm that I am Le Roy Porden of
Rehualt Farm Porden Title
Rehualt Farm Porden that I have signed the foregoing
Organization
document in the space below as Porden of
Rehualt Farm Porden Title
Organization and that the statements contained in the
foregoing document are true and correct.

Le Roy W. Rehualt
Signature of Authorized Agent

S. R. Porden
Title and Organization

8-30-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of Aug 19 88

Al D. Mennett
Notary Public

Seal

Residing at _____

My Commission Expires _____

T10S R19E

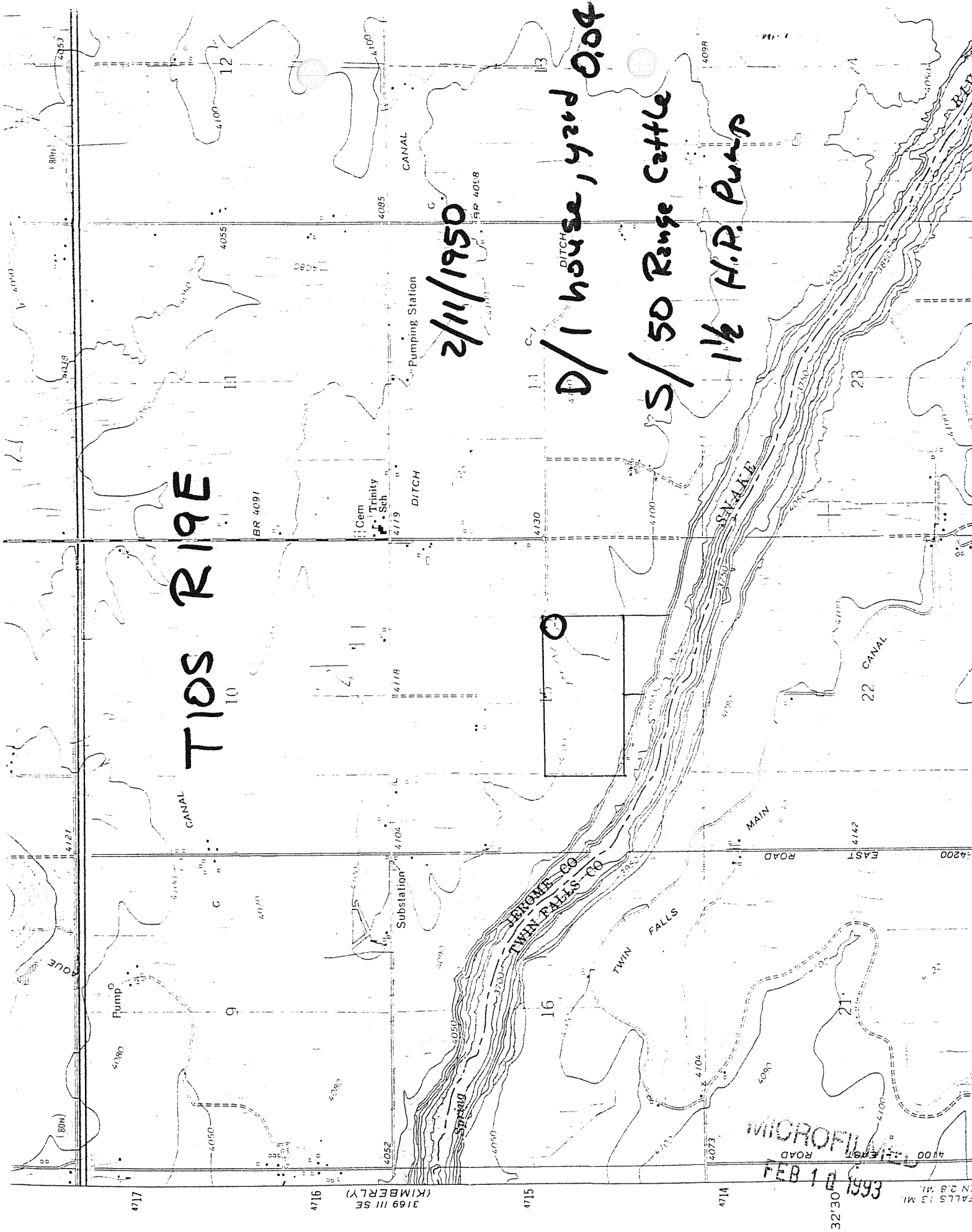
2/11/1950

D/I house, 42nd 0.04

S/ 50 Range Cattle

1 1/2 H.P. Pump

MICROFILMED
FEB 10 1993



RIGHT
NUMBER

NAME & ADDRESS

PRIORITY
DATE

PURPOSE OF USE

PERIOD OF USE
FROM TOMAXIMUM
QUANTITYBASIS OF
CLAIM

SOURCE: GROUNDWATER

36-10764

REHWALT FARM PARTNERSHIP
& LE ROY W REHWALT
1066 SOUTH 2400 EAST
HAZELTON ID 83335

02/11/1950 DOMESTIC

01-01 12-31

.04 CFS

BENEFICIAL USE

STOCKWATER

01-01 12-31

.02 CFS

TOTAL QUANTITY:

.04 CFS

NON-IRRIGATION-USES:

DOMESTIC, 1 HOUSE; STOCKWATER, 50 RANGE CATTLE
POINT OF DIVERSION:

T10S R19E S15

NENWSE

PLACE OF USE: DOMESTIC

T10S R19E S15

NWSE

PLACE OF USE: STOCKWATER

T10S R19E S15

NWSE

REMARKS: PARCEL NO. RL10S19E154801