

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  
  
The State of Idaho, ex rel.  
R. Keith Higginson in his  
official capacity as Director  
of the Idaho Department of  
Water Resources,  
  
Petitioner,  
  
vs.  
  
The United States; the State  
of Idaho; and all Claimants to  
the use of water from the Snake  
River Basin Water System,  
  
Respondents.

Case No. 34-60383B  
(Insert the Case No.  
from the Objection  
you are responding to)

RESPONSE TO OBJECTION

RECEIVED

MAR 17 1993

Department of Water Resources  
Adjudication Bureau

34-00383B -0001/  
93-03-0238

INSTRUCTIONS

This form must be used to file a response to any objection filed against a water right recommended in a Director's Report. You may respond to objections filed against one water right, using one response form. The water right number listed as the "Case No." on the Objection you are responding to must be inserted above as the "Case No." If you choose to file one form to respond to all objections filed against the same water right, your response should cover every issue raised in the objections.

To respond to objections filed against more than one water right, you must file a separate response form for each water right. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your response by the deadline shown in the notice that IDWR mailed to you. The response must be received by the court on or before the deadline specified. Instructions for filing this response are found at Page 5, and must be strictly followed.

(Over)

Any party physically filing 25 (twenty-five) or more responses must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing a response form, you are certifying that the response is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

# I. GENERAL INFORMATION

Please fill in the following information:

1. Person responding to objection:

Name:

Alvin Wheeler & Gay D. Wheeler

Address:

Box 905 Moore Idaho

83251

Briefly describe your interest in this water right:

this claim is in error as there is

A prior Right that supersedes it

in all respects

2. Person who filed objection:

Name:

U.S. Dept of Interior, B.L.M.

Address:

Idaho State Office  
3380 American Terrace  
Boise, Idaho 83706

3. If this response is filed by an attorney:

Attorney Name:

K. Jack Haygood

Attorney Address:

Daria J. Zane

Attorney Phone No.: 202-272-4134 - 8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

RESPONSE TO OBJECTION - 2

## II. STATEMENT OF THE RESPONSE

Please check each "box" which identifies your response.

1. ☐ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
2. ☐ Source: I respond to the objection concerning the source of water.
3. ☒ Quantity: I respond to the objection concerning:
  - a. ☒ the total quantity of water used in cubic feet per second; or
  - b. ☒ the total quantity of water stored in acre-feet per year; or
  - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ Priority Date: I respond to the objection concerning the priority date.
5. ☐ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I respond to the objection concerning the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I respond to the objection concerning the purpose(s) of use.
8. ☐ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I respond to the objection concerning:
  - a. ☐ the legal description of the place of use; or
  - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

(Over)

11. ☐ Remarks: I respond to the objection with the water right. "remarks" listed with the water right.

12. ☒ Water Right Recommendation: I respond to the objection concerning:

- a. ☐ this water right being recommended at all; or  
b. ☐ this water right not being recommended.

13. ☐ Description of Reservation: I respond to the objection concerning the legal description of the reservation.

14. ☐ Other: I respond to the objection concerning:

#### REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s), by number, for each box checked. You may use additional pages if necessary.

*This total objection is in error as this water has been filed on and in use as stated on this*

*properly since 6-1-1895*

#### CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary. *The directors Report should show a disallowance of*

*this objection - by B.M.*

Please note that you should attach copies of documents which support your response. Note on each document the "box number" it supports.

☒ 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: *Directors Report copy*

*of Private Claim - Map of Private Claims at Major Diversion*  
~~*Map of 4 Impaired BLM Claims - BLM Claims*~~

5

VERIFICATION (Must be Completed)

State of Idaho

County of Butte

G. Ahin Wheeler Hay D. Wheeler, being first duly  
(Name of person filing response)  
sworn, upon oath, deposes and says:

That I am the person or entity filing this response, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), 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.

G. Ahin Wheeler Hay D. Wheeler  
Signature of person filing response

By: \_\_\_\_\_

(Attorney signing in  
representative capacity)

Subscribed and sworn to before me this 13 day of March,  
1993.

Karen A. Haddoups  
Notary Public for Idaho  
Residing at: Moore  
My Commission expires: Apr 30, 1993

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right you responded to, if other than yourself; to the party who filed the objection to which you are responding, if different from the owner of the water right; to the office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

(Over)

ERTIFICATE OF MAILING

I hereby certify that on the 15<sup>th</sup> day of March, 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 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. One copy to the owner of the water right, and you must fill in the following information:  
Name: E. Alvin Wheeler Coy. D. Wheeler  
Address: Box 915  
Moose Idaho

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: U.S.A. Bureau of Land Management  
Address: U.S. Dept of Interior  
3380 American Terrace  
Boise Idaho  
83706-2544

4. One copy to:  
Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 4449  
Boise, Idaho 83711-4449

5. One copy to:  
United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, Box 33  
Boise, Idaho 83734

E. Alvin Wheeler  
Signature of Respondent or attorney  
mailing on Respondent's behalf

EXHIBIT 'A'

REASONS: THE CLAIMANT OBJECTS TO THIS WATER RIGHT RECOMMENDATION BECAUSE THE CLAIMANT HAS AN EARLIER PRIORITY DATE AND HAS USED THE WATER RIGHT EXCLUSIVELY SINCE THE WATER RIGHT WAS ESTABLISHED. THE CLAIMANT FOR THESE REASONS OBJECTS TO THE WATER RIGHT IN ITS ENTIRETY, INCLUDING THE NAME OF THE OWNER, SOURCE, PRIORITY DATE, PLACE OF USE, POINT OF DIVERSION/QUANTITY, AND PERIOD OF USE.

AJ585GHP

DATE: MAY-27-1992  
PAGE: A-447

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

RIGHT NUMBER NAME & ADDRESS PRIORITY DATE PURPOSE OF USE PERIOD OF USE FROM TO MAXIMUM QUANTITY BASIS OF CLAIM

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

34-00383A LOUISE T. KELLER 06/01/1895 IRRIGATION 05-01 10-15 .4 CFS DECREED  
RICHARD G. KELLER  
P.O. BOX 621  
MOORE ID 83255  
TOTAL QUANTITY: .4 CFS  
CONSUMPTIVE USE: 45.0 APT

POINT OF DIVERSION:  
TOSW R26E S04  
PLACE OF USE: IRRIGATION

TOSW R26E S27  
18.0 ACRES TOTAL  
NWSW 18.0

REMARKS: WATER IS DELIVERED THROUGH ISLAND DITCH.

34-00383B G. ALVIN WHEELER 06/01/1895 IRRIGATION 05-01 10-15 1.6 CFS DECREED  
GAY D. WHEELER  
BOX 915  
MOORE ID 83255

POINT OF DIVERSION:  
TOSW R26E S04  
PLACE OF USE: IRRIGATION

TOSW R26E S27  
135.0 ACRES TOTAL  
NWSW 36.0  
SWSW 29.0  
SESW 38.0  
NWSW 32.0

REMARKS:  
WATER DELIVERED THROUGH ISLAND DITCH.  
USE OF THIS RIGHT WITH RIGHTS NUMBERED 34-00270 AND 34-00382  
IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF  
337.5 AF AND TO THE IRRIGATION OF 135 ACRES IN A SINGLE  
IRRIGATION SEASON.

Exhibit B

**SOURCE: BIG LOST RIVER**  
**TRIBUTARY: SINKS**

| 34-04040 | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706 | 06/01/1958 | WILDLIFE<br>STORAGE | 01-01 | 12-31 | AFY   | BENEFICIAL USE |
|----------|--------------------------------------------------------------------------------------------------------------------|------------|---------------------|-------|-------|-------|----------------|
|          |                                                                                                                    |            | STOCKWATER FROM     | 01-01 | 12-31 | 243.0 | AFY            |
|          |                                                                                                                    |            | STORAGE             |       |       | 20.1  | AFY            |
|          |                                                                                                                    |            | STOCKWATER          | 01-01 | 12-31 |       |                |
|          |                                                                                                                    |            | STORAGE             |       |       | 243.0 | AFY            |
|          |                                                                                                                    |            | WILDLIFE FROM       | 01-01 | 12-31 |       |                |
|          |                                                                                                                    |            | STORAGE             |       |       | 7.2   | AFY            |
|          |                                                                                                                    |            | DIVERSION TO        | 01-01 | 12-31 | .44   | CFS            |
|          |                                                                                                                    |            | STORAGE             |       |       |       |                |
|          |                                                                                                                    |            | TOTAL QUANTITY:     |       |       | .44   | CFS            |
|          |                                                                                                                    |            |                     |       |       | 243.0 | AFY            |

**NON-IRRIGATION-USES:**  
STOCKWATER, 2000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT

POINT OF DIVERSION:  
T02N R28E S11  
PLACE OF USE: WILDLIFE STORAGE  
SAME AS OTHER USE  
PLACE OF USE: STOCKWATER FROM STORAGE

| TO2N | R2BE | S11 | NESE | NWSE | SESE |
|------|------|-----|------|------|------|
|      |      | S13 | NWNW | SUNW | NWSW |
|      |      | S14 | NWNE | SUNE | SENE |
|      |      |     | NWSW | NWSW | SWSW |
|      |      |     | NESE | NWSE | SWSE |
|      |      | S15 | NESE | SESE |      |
|      |      | S23 | NWNE | SUNE | NENW |
|      |      | S24 | SWNE | SENE | NENW |
|      |      |     | SUNW | SENW | NESW |
|      |      |     | SESW | NESE | NWSE |
|      |      |     | SESE |      |      |
|      |      | S25 | NWNE | NWNE | SWNE |
|      |      |     | NENW | SENW | NESW |
|      |      |     | NWNW | NWSE | NWSW |
|      |      |     | SESW |      |      |

PLACE OF USE: STOCKWATER STORAGE

PLACE UP USE: STOCKWATER STORAGE  
SAME AS OTHER USE

PLACE OF USE: WILDLIFE FROM STORAGE

**SAME AS OTHER USE**

PLACE OF USE: DIVERSION TO STORAGE

**SAME AS OTHER USE**

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

BLM RECORD ID = 3403488096

| RIGHT NUMBER                                             | NAME & ADDRESS                                                                                                     | PRIORITY DATE | PURPOSE OF USE | PERIOD OF USE FROM TO | MAXIMUM QUANTITY | BASIS OF CLAIM     |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|---------------|----------------|-----------------------|------------------|--------------------|
| SOURCE: BIG LOST RIVER                                   |                                                                                                                    |               |                |                       |                  |                    |
| TRIBUTARY: SINKS                                         |                                                                                                                    |               |                |                       |                  |                    |
| 34-04190                                                 | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706 | 06/28/1934    | STOCKWATER     | 01-01 12-31           | .23              | CFS BENEFICIAL USE |
| NON-IRRIGATION-USES:                                     |                                                                                                                    |               |                |                       |                  |                    |
| STOCKWATER, 1000 RANGE CATTLE; WILDLIFE, VARIABLE AMOUNT |                                                                                                                    |               |                |                       |                  |                    |
| POINT OF DIVERSION:                                      |                                                                                                                    |               |                |                       |                  |                    |
| T02N R27E S01 LOT 1 ( NENE) (B)                          |                                                                                                                    |               |                |                       |                  |                    |
| T03N R27E S20 SENE (B)                                   |                                                                                                                    |               |                |                       |                  |                    |
| T02N R28E S01 NESE (E)                                   |                                                                                                                    |               |                |                       |                  |                    |
| T03N R27E S35 SESE (E)                                   |                                                                                                                    |               |                |                       |                  |                    |
| PLACE OF USE: STOCKWATER                                 |                                                                                                                    |               |                |                       |                  |                    |
| T02N R27E S01 Lot 1 (NENE)                               |                                                                                                                    |               |                |                       |                  |                    |
| R28E NESW                                                |                                                                                                                    |               |                |                       |                  |                    |
| SESE                                                     |                                                                                                                    |               |                |                       |                  |                    |
| S02 SWSW                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S03 SENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S04 NESE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S05 SENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S06 Lot 1 (NENE)                                         |                                                                                                                    |               |                |                       |                  |                    |
| SESW                                                     |                                                                                                                    |               |                |                       |                  |                    |
| S09 NENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S10 NENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S11 SENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S12 SENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| T03N R27E S20 SWSW                                       |                                                                                                                    |               |                |                       |                  |                    |
| S21 NESE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S22 NESW                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S26 SWSW                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S27 SENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S28 NESE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| S35 NENE                                                 |                                                                                                                    |               |                |                       |                  |                    |
| NESW                                                     |                                                                                                                    |               |                |                       |                  |                    |
| Lot 2 (NENE)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 3 (NENE)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 4 (NENE)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 5 (SWSW)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 6 (NENE)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 7 (NENE)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 8 (NENE)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 9 (NENE)                                             |                                                                                                                    |               |                |                       |                  |                    |
| Lot 10 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 11 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 12 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 13 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 14 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 15 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 16 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 17 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 18 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 19 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 20 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 21 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 22 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 23 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 24 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 25 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 26 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 27 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 28 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 29 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 30 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 31 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 32 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 33 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 34 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 35 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 36 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 37 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 38 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 39 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 40 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 41 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 42 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 43 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 44 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 45 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 46 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 47 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 48 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 49 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 50 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 51 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 52 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 53 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 54 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 55 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 56 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 57 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 58 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 59 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 60 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 61 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 62 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 63 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 64 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 65 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 66 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 67 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 68 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 69 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 70 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 71 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 72 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 73 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 74 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 75 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 76 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 77 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 78 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 79 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 80 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 81 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 82 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 83 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 84 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 85 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 86 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 87 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 88 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 89 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 90 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 91 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 92 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 93 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 94 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 95 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 96 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 97 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 98 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 99 (NENE)                                            |                                                                                                                    |               |                |                       |                  |                    |
| Lot 100 (NENE)                                           |                                                                                                                    |               |                |                       |                  |                    |

REMARKS: THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY

*Exhibit C*