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94-03-0050

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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. 34-10439 -0001
	)	
Case No. 39576	)	RESPONSE TO OBJECTION
	)	

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)

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. A34-10439	3
Notice of Change of Water Right Ownership	1
Recommended Water Rights Acquired under State Law	1

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of March, 1994, 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:

See No. 3

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: CRAIG D HOBDEY
Address: PO BOX 176
GOODING ID 83330-0176

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

A. Lyane Kozh
Signature of Respondent or attorney
mailing on Respondent's behalf

B25 +

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: A34-10439
Date Received: 12/20/1989
Receipt No: M005437
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REED M. NIELSEN
Address: P.O. BOX 216 208-588-2642
MACKAY, ID 83251

OR

Name: ELMABETH NIELSEN
Address: P.O. BOX 216 208-588-2642
MACKAY, ID 83251

2. Date of Priority: AUG 22, 1908

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	24E	7	SW	SW			CUSTER

5. Description of diverting works:
WELL, 100' DEEP, 3/4 HP 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	0.120		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD; S/500 CATTLE

A34-10439

Page 1

Date: 12/20/89

MICROFILMED
DEC 09 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	24E	26	SE	NW		DOMEST	
			SE	NW		STOCK	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
-

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): *[Signature]* Date: 12-20-89
_____ Date: _____

State of Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of December 19 89

Anthony S. Olenich
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 9/12/1994



NOTICE NEW PROPERTY OWNER CHANGE OF WATER RIGHT

Please print or type
(see instructions on back of page)

RECEIVED
SEP 22 1992
Department of Water Resources
B.M. Eastern District Office

DATE OF CLOSING: 8.13.92

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM. Eastern District Office
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. See attached copy of deed.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
A34-00586, A34-00543, A34-00582, A34-00585, A34-10434, A34-00153,
- [] Water Right Number(s) A34-00146, A34-00808, A34-00884, A34-10440, A34-10439,
Assigned by IDWR: A34-10437, A34-10436, A34-00885, A34-00886, A34-10435,
- [] Name and Address of Former Owner/Claimant(s)(Seller): REED M. NIELSEN AND/OR ELMA BETH NIELSEN
P. O. Box 216
MACKAY, ID 83251
- [] New Owner/Claimant (Purchaser): DAVID A. HORRE' AND/OR LINDA HORRE'
- [] New Mailing Address: GENERAL DELIVERY
MACKAY, ID 83251
- [] New Telephone Number: () _____ - _____
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Copy of Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s) David A. Horre' Date 8-10-92
Linda Horre' Date 8-10-92
- [] Signature of Former Owner/Claimant(s): Reed M. Nielsen Date 8-12-92
Elma Beth Nielsen Date 8-12-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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DEC 09 1992