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MAR 03 2015

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 CSRBA)

Case No. 49576)

A.)

Subcase

92-10502

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name:

WILLIAM ROSS

Address:

PO BOX 161

SAINT MARIES ID 83861

Daytime Phone:

208-245-3065

Name & Address of Attorney, if any:

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name:

JEFFREY A. BAKER

Address:

715 N CHISHOLM CT

POST FALLS, ID 83854

D. I am responding to the Objections to the following elements or general provision. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
2. ☐ **Source**
3. ☐ **Quantity**
4. ☐ **Priority Date**
5. ☐ **Point of Diversion**
6. ☐ **Instream Flow Beginning and Ending Point**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
10. ☐ **General Provision**
11. ☒ **Recommendation:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

~~SEE NOTE BELOW~~

SEE ATTACHED LETTER OF EXPLANATION

INSTRUCTIONS FOR MAILING

You must mail the Response, including all attachments, 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.

E. CERTIFICATE OF MAILING

I certify that on FEB - 26, 2015, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Coeur d'Alene-Spokane 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: DARCY AND DOUGLAS MCINTURFF
Address: 17786 E CANARY CREEK RD
CATALDO, ID 83810

3. One copy to the party who filed the Objection at the following address:

Name: JEFFREY P. BAKER
Address: 715 N. CHISHOLM CT
POST FALLS, ID 83854

4. 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

William H. Ross
Your signature or signature of attorney
mailing on your behalf

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MAR 03 2015

DEPARTMENT OF
WATER RESOURCES

February 23, 2015

Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

Re: Subcase 92-10502, Response to Objection filed by Jeffrey P. Baker

Dear District Court,

I agree with the objection filed by Jeffrey P. Baker for the reasons outlined in his letter to the Court dated January 15, 2015.

We own adjacent but separate parcels of land. The Jeffrey and Mary Lou Baker Living Trust owns parcel RP45N02W02100CA. My wife and I own the separate parcel RP45N02W021004A. We have applied for our own water right on our own property and feel separate water rights should be issued for the two separate ownerships.

The points of diversion are very close together, separated by approximately 20 feet. The Baker point of diversion is just south of the common property line and our point of diversion is just north of the common property line.

Water right 92-10502 should be split. New water right numbers should be given to Baker and Ross to reflect separate ownership.

Darcy and Douglas McInturff should be removed from both water rights because they do not have an easement to either points of diversion, place of use, nor beneficial use of the water.

Sincerely,

A handwritten signature in cursive script that reads "William H. Ross". The signature is written in dark ink and is positioned below the word "Sincerely,".

William Ross