

Water Right Number - R35-07737

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SMITH

SHERMAN N

1 - 2321 W 1400 S

2 -

3 -

City- STERLING

State- ID Zip- 83279

Phone - 208-397-4612

SMITH

VESTA

1 - 2321 W 1400 S

2 -

3 -

City- STERLING

State- ID Zip- 83279

Phone - 208-397-4612

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/02/1977 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
05S 32E 7 NE NW SE (11) BINGHAM+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 3.050 720.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.050 720.00 540.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
05S 32E 7 SW NE 33.0 01 IRRIGATION (11) BINGHAM
05S 32E 7 SE NE 38.0 01 IRRIGATION (11) BINGHAM
05S 32E 7 NE SE 34.0 01 IRRIGATION (11) BINGHAM
05S 32E 7 NW SE 37.0 01 IRRIGATION (11) BINGHAM
05S 32E 7 SE SE 38.0 01 IRRIGATION (11) BINGHAM

Total Acres: 180.0

+ - - Diversion Means - WELL/PUMP-- SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - ABERDEEN-SPRINGFIELD CANAL CO.

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PROFILED

Water right number - R35-07737

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
No Remarks Found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
E02 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ABERDEEN SPRINGFIELD CANAL CO.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
11/02/92 DCARLSON

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 11/02/1992	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 11/02/1992	Old Judicial District	-
Claim Received Date	- 05/11/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E007345	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

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SEP 07 2005

PROFILE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:44:21
10/25/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A35-07737

LAST: SMITH
ADDRESS: 2521 W. 1400 S.
CITY: STERLING
PHONE NUMBER: 208-397-4612
OWNER CODE: C

FIRST: SHERMAN N.
STATE: ID ZIP: 83279

LAST: SMITH
ADDRESS: 2321 W. 1400 S.
CITY: STERLING
PHONE NUMBER: 208-397-4612
OWNER CODE: C

FIRST: VESTA
STATE: ID ZIP: 83279

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CLAIM NUMBER: A35-07737

CONTACT PERSON:

DATE OF FIELD EXAM: 11/2/92

APPOINTMENT MADE: Y () N (X)

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

File Review

PHONE NUMBER: () -

TIME: --

A () P ()

PHONE NUMBER: () -

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
 N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

[illegible]

RECOMMENDED PRIORITY DATE:

38-52-1977

REVIEWED BY DX

DATE 11/2/92

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-07737	05S	32E	7	SE	SW	SE	WRONG	BINGHAM

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-07737	05S	32E	7	NE	NW	SE		BINGHAM

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

Pod is
NE NW SE

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RSE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

---	---	---	---	---	---	---	---
-----	-----	-----	-----	-----	-----	-----	-----

SOURCE: GROUNDWATER

TRIG:

REVIEWED BY:

DATE:

11/2/92

A. ROOT WATER RIGHT NUMBERS: A35-07737

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	HR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	32E	7	S4	NE		SMITH, SHERMAN V.	A35-07737 /33.0	35-07737 /37.0	26.0	33	
			S4	NE		GOUGH, JOSIAH		35-02023 /35.0			
05S	32E	7	SE	NE		SMITH, SHERMAN V.	A35-07737 /38.0	35-07737 /38.0	27.0	38	
			SE	NE		LING, ROGER D.	A01-0205460/19.0	- /			
			SE	NE		LING, ROGER D.	A01-0029720/19.0	- /			
			SE	NE		LING, ROGER D.	A01-0002320/19.0	- /			
			SE	NE		LING, ROGER D.	A35-0254320/19.0	- /			
			SE	NE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/19.0	- /			
			SE	NE		LING, ROGER D.	A01-0205860/19.0	- /			
			SE	NE		LING, ROGER D.	A01-0205800/19.0	- /			
05S	32E	7	NE	SE		SMITH, SHERMAN V.	A35-07737 /34.0	35-07737 /34.0	33.0	34	
			NE	SE		LING, ROGER D.	A01-0205460/35.0	- /			
			NE	SE		LING, ROGER D.	A01-0029720/35.0	- /			
			NE	SE		LING, ROGER D.	A01-0002320/35.0	- /			
			NE	SE		LING, ROGER D.	A35-0254320/35.0	- /			
			NE	SE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/35.0	- /			
			NE	SE		LING, ROGER D.	A01-0205860/35.0	- /			
			NE	SE		LING, ROGER D.	A01-0205800/35.0	- /			
05S	32E	7	N4	SE		SMITH, SHERMAN V.	A35-07737 /37.0	35-07737 /39.0	26.0	37	
			N4	SE		LING, ROGER D.	A01-0205460/39.0	- /			
			N4	SE		LING, ROGER D.	A01-0029720/39.0	- /			
			N4	SE		LING, ROGER D.	A01-0002320/39.0	- /			
			N4	SE		LING, ROGER D.	A35-0254320/39.0	- /			
			N4	SE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/39.0	- /			
			N4	SE		LING, ROGER D.	A01-0205860/39.0	- /			
			N4	SE		LING, ROGER D.	A01-0205800/39.0	- /			
05S	32E	7	SE	SE		SMITH, SHERMAN V.	A35-07737 /38.0	35-07737 /38.0	34.0	38	
			SE	SE		LING, ROGER D.	A01-0205460/39.0	- /			
			SE	SE		LING, ROGER D.	A01-0029720/39.0	- /			
			SE	SE		LING, ROGER D.	A01-0002320/39.0	- /			
			SE	SE		LING, ROGER D.	A35-0254320/39.0	- /			
			SE	SE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/39.0	- /			
			SE	SE		LING, ROGER D.	A01-0205860/39.0	- /			
			SE	SE		LING, ROGER D.	A01-0205800/39.0	- /			
TOTAL ACRES							A35-07737	130.00	186.00	148.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

180

REVIEWED BY:

DE

DATE:

11/2/92

A. AS CLAIMED USES:

PURPOSES
A35-07737 IRRIGATION

MONTH/DAY
FROM 04-31 TO 11-01 16/31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
3.050 CFS 651.00 AF/A
3.050 CFS 651.00 AF/A

B. WR RECORDED USES:

PURPOSES
35-07737 IRRIGATION

MONTH/DAY
FROM 04-31 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
3.050 CFS 651.00 AF/A
3.050 CFS 651.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE FIELD
EXAMINER
N
N
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() EXPLAIN IN REMARKS, BELOW.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.050 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.050 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: ABERDEEN-SPRINGFIELD CANAL CO.

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-07737	GROUNDWATER	SMITH, SHERMAN M.	3.050	0.016	651.00	3.61
A01-0206460	SNAKE RIVER	LING, ROGER D.			57133.00	1.61
A01-0002320	SNAKE RIVER	LING, ROGER D.	1250.000	0.035		
A35-0254320	GROUNDWATER	LING, ROGER D.	6.000			
A35-0424620	GROUNDWATER	ABERDEEN SPRINGFIELD CANAL CO.	2.440			
A01-0206660	SNAKE RIVER	LING, ROGER D.			129940.00	3.66
A01-0206880	SNAKE RIVER	LING, ROGER D.			22860.00	0.64

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

0.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/U REVIEW)

DJES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

1B. CALCULATIONS

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 540.0 AF/A

ACRES 180 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 540 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 551.00 AF/A

ACRES 180 X DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 720 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 3.050	DATABASE EXAMINER 651.70	DATABASE EXAMINER 540.0
TOTAL FOR THIS RIGHT	031	3.050	651.90 720	540.0
REVIEWED BY: DC	DATE: 11/2/92			

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED

(X)
(X)
(X)

NEEDS
REVIEW

()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-07737

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.050

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A35-07737

3.050

-

35-07737

3.050

TOTAL CFS

3.050

3.050

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

11/2/92

WA

DAVE CARLSOW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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10/25/91

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QUICKLOOK INFORMATION

CLAIM NUMBER: A35-D7737

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		De waz	Yes				
SOURCE								
PLACE OF USE	Y			No				
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE				Yes				
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
NAIP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

35-07737

RECEIVED

NOV 21 2001

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

RECEIVED

NOV 28 2001

Department of Water Resources
Eastern Region

In Re SRBA

Case No. 39576

A. Subcase 35-02315 and each Subcase
listed in Exhibit "A"

(Insert the Subcase number from the
Objection to which you are responding)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name & Address of Attorney if any

Attorney Name: ALAN G. LANCE
Attorney General
David J. Barber
Deputy Attorney General
Natural Resources Division
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

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(over)

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

Name: Aberdeen-Springfield Canal Company
Address: P.O. Box 857
Aberdeen, Idaho 83210

D. I am responding to the objections to the following elements. (Please check the appropriate box(es))

1. ☐ **Name and Address**
2. ☒ **Source**
3. ☐ **Quantity**
4. ☒ **Priority Date**
5. ☐ **Points of Diversion**
6. ☐ **Instream Flow**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
10. ☒ **Other Matters**
11. **Recommendation**
 - ☐ This water right should not exist
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

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SEP 07 2005

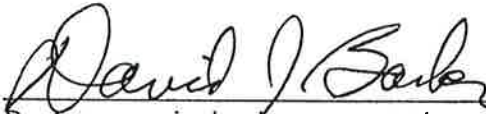
VERIFICATION (Must be Completed)

STATE OF IDAHO)
)ss.
County of Ada)

David J. Barber, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

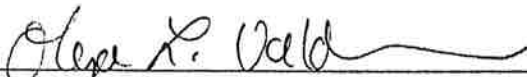
That the State of Idaho in both its sovereign and proprietary capacity is filing this response and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

ALAN G. LANCE
Attorney General
David J. Barber
Deputy Attorney General
Natural Resources Division


By Attorney signing in representative capacity

Subscribed and sworn to before me on: Nov. 21, 2001
(Insert Date)




Notary Public for Idaho
Residing at: BOISE, ID
My commission expires: 2-8-06

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.

F. CERTIFICATE OF MAILING

I certify that on November 21 2001, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or 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 claimant of the water right at the following address:

James T. Lehman
C/O Josephine P. Beeman
409 West Jefferson Street
Boise, Idaho 83702

3. Copies to:

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

Aberdeen-Springfield Canal
P.O. Box 857
Aberdeen, Idaho 83210

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

John K. Simpson
Barker, Rosholt & Simpson
P.O. Box 2139
Boise, Idaho 83701-2139

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Respondent or attorney
mailing on Respondent's behalf

EXHIBIT "A"
LIST OF SUBCASES IN WHICH THE FOREGOING OBJECTION IS FILED

35-00038F	Thayne Driscoll 3140 Willow Street American Falls, ID 83211-5520	<i>Vicki</i> 35-02172	Bowler Ranches Inc P. O. Box 760 American Falls, ID 83211
<i>Vicki</i> 35-02049	Lehman Farms 2853 W 2000 S Aberdeen, ID 83210	<i>Vicki</i> 35-02226	Leota Judge 688 S 1800 W Pingree, ID 83262
35-02066A	H. Alan Funk 2065 S 2800 W Aberdeen, ID 83210	<i>Vicki</i> 35-02236	Judith Dvorak 1876 S 2900 W Aberdeen, ID 83210
35-02066B	H. Alan Funk; See 35-02066A	<i>Cor</i> 35-02271	Sherman L. Ruff 3005 W 2100 S Aberdeen, ID 83210
<i>Vicki</i> 35-02072	Raymond Funk 2066 S 2950 W Aberdeen, ID 83210	<i>Vicki</i> 35-02298	Everett K. Wood 2681 W 1100 S Aberdeen, ID 83210
<i>Vicki</i> 35-02073	Charles J. Shackelford P. O. Box 212 Aberdeen, ID 83210	<i>Vicki</i> 35-02308A	Charles A. Rossi 482 S 1600 W Pingree, ID 83262
<i>Vicki</i> 35-02100	Arthur J. Jones 1697 W 700 S Pingree, ID 83262	<i>Vicki</i> 35-02339	Paul T. Woods 771 S 1800 W Pingree, ID 83262
<i>Vicki</i> 35-02116	Behrend Farms 2807 W 1900 S Aberdeen, ID 83210	<i>Vicki</i> 35-02347	Otto R. Klassen 281 W. Boise Street Aberdeen, ID 83210
<i>Vicki</i> 35-02127	Julia Wada Valentine 334 S 1300 W Pingree, ID 83262	<i>Vicki</i> 35-02370	Lynn E. Hansen 2745 W 1800 S Aberdeen, ID 83210
<i>Vicki</i> 35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	<i>Vicki</i> 35-02387A	Charles J. Shackelford; See 35-02073
<i>Vicki</i> 35-02167B 35-12805	Sylvia and Clarence Schroeder 2308 S Moser Road American Falls, ID 83211	<i>Vicki</i> 35-02406	Line View Farms, Inc. 2269 W 800 S Aberdeen, ID 83210
<i>Vicki</i> 35-02167D	William R. Schroeder 2388 S Moser Rd American Falls, ID 83211	<i>Cor</i> 35-02470	Raymond and Betty Funk; See 35-02072
<i>Vicki</i> 35-02167E	Katherine Schroeder Estate P. O. Box 17 Aberdeen, ID 83210	<i>Vicki</i> 35-02498	Juan Burusco 2514 W 1700 S Aberdeen, ID 83210
<i>Vicki</i> 35-02167F	Katherine Schroeder Estate; See 35-02167E	<i>Vicki</i> 35-02504A	Isaac D. Pierce 2592 W 1300 S Sterling, ID 83210

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<i>Vicki</i> 35-02525	Earl H. Barclay 1096 S. 2500 W. Aberdeen, ID 83210	<i>Vicki</i> 35-04183	Don Kramer 1003 Falls Ave. American Falls, ID 83211
<i>Vicki</i> 35-02647A	Val F. Wahlan P. O. Box 442 Aberdeen, ID 83210	<i>Vicki</i> 35-04221	University of Idaho Regents P. O. Box AA Aberdeen, ID 83210
<i>Copy</i> 35-02670B	Steven Murdock 1050 W Hwy. 39 Blackfoot, ID 83221	<i>Copy</i> 35-07012B	Larry E. Watt 462 S 1200 W Pingree, ID 83262
<i>Copy</i> 35-02670C	Steven/Ronald Murdock; See 35-02670B 1065 W 125 N Blackfoot, ID 83221	<i>Vicki</i> 35-07022	LDS Real Est Div Twelfth Floor 50 East North Temple Street Salt Lake City, UT 84150
<i>Copy</i> 35-02670D	Dale C. Murdock 1048 W Hwy 39 Blackfoot, ID 83221	<i>Vicki</i> 35-07061	Otto R. Klassen; See 35-02347
<i>Vicki</i> 35-02712	Paul W. Behrend 2706 W 1800 S Aberdeen, ID 83210	<i>Vicki</i> 35-07102	O. E. Feld 1470 S 2750 W Aberdeen, ID 83210
<i>Vicki</i> 35-02824	Frank & Shirley Droghei Living Trust 467 S 1600 W Pingree, ID 83262	<i>Vicki</i> 35-07145	Clarence Schroeder; See 35-02167B
<i>Vicki</i> 35-02917A	Neil J. Poulson 2849 N. Pleasant Valley Rd. American Falls, ID 83211	<i>Vicki</i> 35-07146	Herbert A. Bohrer P. O. Box 82 Springfield, ID 83277
<i>Vicki</i> 35-02917B	Neil Poulson; See 35-02917A	<i>Vicki</i> 35-07164A	John R. Duffin 1436 S 2750 W Aberdeen, ID 83210
<i>Vicki</i> 35-04032	Layne J. Harker 1733 W 600 S Pingree, ID 83262	<i>Vicki</i> 35-07191	Albert J. Horsch 2711 W 1900 S Aberdeen, ID 83210
<i>Vicki</i> 35-04034A	Bill Funk; See 35-02154	<i>Vicki</i> 35-07231	LDS Real Est Div; See 35-07022
<i>Vicki</i> 35-04034B	Bill Funk; See 35-02154	<i>Vicki</i> 35-07267A	David Bethke 3149 W Rast Road American Falls, ID 83211
<i>Vicki</i> 35-04039	Val F. Wahlan; See 35-02647A	<i>Vicki</i> 35-07267B	David Bethke; See 35-07267A
<i>Vicki</i> 35-04093	Bowler Ranches Inc; See 35-02172	<i>Vicki</i> 35-07286	Ted T. Edwards P. O. Box 104 Spencer, ID 83446
<i>Vicki</i> 35-04095	Juan Burusco; See 35-02498	<i>Vicki</i> *35-07353	Raymond K. Duffin 3182 W 2000 S Aberdeen, ID 83210
<i>Vicki</i> 35-04113	Marjorie Sainz Ltd. Partnership P. O. Box 127 Springfield, ID 83277	<i>Vicki</i> 35-07393	Kenneth Horsch 1990 S 2600 W Aberdeen, ID 83210
<i>Vicki</i> 35-04164	George Vollmer 3003 Vollmer Loop American Falls, ID 83211		

PROFILE

SEP 07 2005

35-07422

David P. Dance
471 S 1200 W
Pingree, ID 83262

35-07450

H. Homer Anderson
2632 S 1470 W
St. George, UT 84770

35-07453A

George R. Jackson
1762 W 800 S
Pingree, ID 83262

35-07453B

George Jackson; See 35-07453A

35-07494

Leonard E. Phillips
1522 S 2600 W
Aberdeen, ID 83210

35-07507

Sherman N. Smith
2321 W 1400 S
Sterling, ID 83279

35-07519

Stroschein Ranches Inc.
1464 Alpowa Ave.
Moscow, ID 83843

35-07530

Dwight W. Horsch
1911 S 2700 W
Aberdeen, ID 83210

35-07592

George Jackson; See 35-07453

35-07599

Larry E. Watt; See 35-07012B

35-07618

Juan A. Irigoyen
1751 S 2600 W
Aberdeen, ID 83210

35-07621

Juan Irigoyen; See 35-07618

35-07627

Robert E. Mann
2556 W 1400 S
Aberdeen, ID 83210

35-07643A

University of Idaho; See 35-04221

35-07647

Bill Funk; See 35-02154

35-07680

David L. Wahlen
2481 W 1000 S
Sterling, ID 83210

35-07696

Charles J. Shackelford; See 35-02073

35-07721

Theron T. Edwards; See 35-07286

35-07722

DeGiulio Ranch Inc.
2340 W 900 S
Sterling, ID 83210

35-07728

John R. Duffin; See 35-07164A

35-07729

John R. Duffin; See 35-07164A

35-07732

Todd Feld
P. O. Box B
Aberdeen, ID 83210

35-07737

Sherman N. Smith; See 35-07507

35-07756

Juan Burusco; See 35-02498

35-07760

Raymond Funk; See 35-02072

35-07762

Bill Funk; See 35-02154

35-07790

Marjorie Sainz Ltd. Partnership;
See 35-04113

35-07820

Thayne Driscoll; See 35-00038F

*35-07865

Diane J. Deeg
2957 Deeg Road
American Falls, ID 83211

35-07890

Knudsen Poor Farms Inc.
2700 W 2100 S
Aberdeen, ID 83210

35-07894

H. Alan Funk; See 35-02066A

35-07903A

LDS Real Est Div; See 35-07022

35-07903B

Albert Babneau
384 S 1200 W
Pingree, ID 83262

35-07945

Jack Poulson
2700 W Hwy. 39
Aberdeen, ID 83210

35-07948

Scott E. Poulson
2831 W 1500 S
Aberdeen, ID 83210

35-07957

David P. Dance; See 35-07422

35-08054

Ronald W. Stroschein
1292 S 2600 W
Aberdeen, ID 83210

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SEP 07 2005

Vicki 35-08602 Gary Judge
692 S 1800 W
Pingree, ID 83626

not found 35-08805 Judith Dvorak; See 35-02236

not found 35-08878 Dorothy Corbridge
265 Van Buren
American Falls, ID 83211

not found 35-08952 Regina Line
489 E Central
Box 579
Aberdeen, ID 83210

Vicki 35-10318 Ralph Klassen Farms Partnership
2837 W 1700 S
Aberdeen, ID 83210

Vicki 35-10653 Paul T. Woods; See 35-02339

Vicki 35-10843 Lehman Farms; See 35-02049

lost 35-10859 James T. Lehman
2912 W 2000 S
Aberdeen, ID 83210

lost 35-10860 Karen/James Lehman; See 35-10859

Vicki 35-12088 O. E. Feld; See 35-07102

Vicki 35-12248 Earl H. Barclay; See 35-02525

Vicki 35-13018 Julia Valentine; See 35-02127

Vicki 35-13073 Harold E. Isaak
2854 W 1800 S
Aberdeen, ID 83210

Vicki 35-13264 Charles O. Klassen
1948 S 2900 W
Aberdeen, ID 83210

*Represented by attorney Josephine P. Beeman

SCANNED

SEP 07 2005

PROFILED

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NOV 07 2001

Department of Water Resources
Eastern Region

RECEIVED

OCT 31 2001

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)

Case No. 39576)

A. Subcase No. 35-02315 and
each subcase listed in Exhibit "A"
attached hereto and made a part hereof

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Aberdeen-Springfield Canal Company

Address: P. O. Box 857
Aberdeen, Idaho 83210

Daytime Phone (208) 397-4193

Name & Address of Attorney, if any:
ROGER D. LING
LING & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

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

Name: James T. Lehman

Address: 2912 W 2000 S
Aberdeen, Idaho 83210

SEE ADDITIONAL NAMES AND ADDRESSES SHOWN IN EXHIBIT "A" ATTACHED
HERETO

VERIFICATION (Must be Completed)

State of Idaho)

County of Minidoka)

Roger D. Ling, 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

Roger D. Ling
Attorney signing in representative capacity

Subscribed and sworn to before me on: October 30, 2001

JUDY BARNES
NOTARY PUBLIC
STATE OF IDAHO

Judy Barnes
Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/12/2005

ATTACHMENT "A"

E. REASONS SUPPORTING OBJECTIONS

Source. The excavation and opening of this well and withdrawal of water therefrom by the claimant, a shareholder of Aberdeen-Springfield Canal Company, was made as the agent of Aberdeen-Springfield Canal Company, the owner of the irrigation works of this Carey Act project. The irrigation project operated by Aberdeen-Springfield Canal Company recaptures project water through wells to provide a supplemental diversion point for project water for the irrigation of the lands of shareholders of Aberdeen-Springfield Canal Company, for the further purpose of improving and preserving the utility of lands by draining them and for the withdrawal of water for the purpose of recovering ground water resulting from irrigation under the irrigation works of Aberdeen-Springfield Canal Company. There are therefore two sources of water, the ground water source under the license should be acknowledged, as well as the ground water resulting from irrigation by Aberdeen-Springfield Canal Company, which is separate and distinct from the water diverted under this water right, but it is diverted from this well and requires no water right. It is necessary to identify both sources to and in the administration of this water right. It will be recognized that the water diverted from this well is ground water to which claimant is entitled to divert under its water right and is also a diversion of ground water resulting from irrigation under the irrigation works of Aberdeen-Springfield Canal Company, for the benefit of claimant as a shareholder, for which no license is necessary.

Priority Date. As for the ground water being recovered under this well which resulted from irrigation under the irrigation works of Aberdeen-Springfield Canal Company, and is used on lands to which shares of Aberdeen-Springfield Canal Company are appurtenant, there is no priority date, as the recovery of water resulting from irrigation within the project is a part of the original water supply diverted by Aberdeen-Springfield Canal Company. This recovered project ground water is part of the project water of Aberdeen-Springfield Canal Company, and is owned by Aberdeen-Springfield Canal Company after it has been diverted under its surface water rights until it leaves the project.

Other Matters Necessary for Definition of Administration of this Water Right

Add the following: Water diverted from this point of diversion is also groundwater resulting from irrigation under the irrigation works of Aberdeen-Springfield Canal Company and is recovered by Aberdeen-Springfield Canal Company for further use on lands of claimant to which shares of Aberdeen-Springfield Canal Company are appurtenant. This recaptured project water shall be administered as a part of the water rights of Aberdeen-Springfield Canal Company by which water is diverted from the Snake River for use by its shareholders. As to this water right with a source being ground water and not recaptured project water, the other matters set forth in the recommendation are appropriate.

PROFILED

SEP 07 2005

EXHIBIT "A"**LIST OF SUBCASES IN WHICH THE FOREGOING OBJECTION IS FILED**

35-00038F	Thayne Driscoll 3140 Willow Street American Falls, ID 83211-5520	35-02172	Bowler Ranches Inc P. O. Box 760 American Falls, ID 83211
35-02049	Lehman Farms 2853 W 2000 S Aberdeen, ID 83210	35-02226	Leota Judge 688 S 1800 W Pingree, ID 83262
35-02066A	H. Alan Funk 2065 S 2800 W Aberdeen, ID 83210	35-02236	Judith Dvorak 1876 S 2900 W Aberdeen, ID 83210
35-02066B	H. Alan Funk; See 35-02066A	35-02271	Sherman L. Ruff 3005 W 2100 S Aberdeen, ID 83210
35-02072	Raymond Funk 2066 S 2950 W Aberdeen, ID 83210	35-02298	Everett K. Wood 2681 W 1100 S Aberdeen, ID 83210
35-02073	Charles J. Shackelford P. O. Box 212 Aberdeen, ID 83210	35-02308A	Charles A. Rossi 482 S 1600 W Pingree, ID 83262
35-02100	Arthur J. Jones 1697 W 700 S Pingree, ID 83262	35-02339	Paul T. Woods 771 S 1800 W Pingree, ID 83262
35-02116	Behrend Farms 2807 W 1900 S Aberdeen, ID 83210	35-02347	Otto R. Klassen 281 W. Boise Street Aberdeen, ID 83210
35-02127	Julia Wada Valentine 334 S 1300 W Pingree, ID 83262	35-02370	Lynn E. Hansen 2745 W 1800 S Aberdeen, ID 83210
35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	35-02387A	Charles J. Shackelford; See 35-02073
35-02167B	Sylvia and Clarence Schroeder 2308 S Moser Road American Falls, ID 83211	35-02406	Line View Farms, Inc. 2269 W 800 S Aberdeen, ID 83210
35-02167D	William R. Schroeder 2388 S Moser Rd American Falls, ID 83211	35-02470	Raymond and Betty Funk; See 35-02072
35-02167E	Katherine Schroeder Estate P. O. Box 17 Aberdeen, ID 83210	35-02498	Juan Burusco 2514 W 1700 S Aberdeen, ID 83210
35-02167F	Katherine Schroeder Estate; See 35-02167E	35-02504A	Isaac D. Pierce 2592 W 1300 S Sterling, ID 83210

PROFILE**SCANNED****SEP 07 2005**

35-07422	David P. Dance 471 S 1200 W Pingree, ID 83262	35-07722	DeGiulio Ranch Inc. 2340 W 900 S Sterling, ID 83210
35-07450	H. Homer Anderson 2632 S 1470 W St. George, UT 84770	35-07728	John R. Duffin; See 35-07164A
35-07453A	George R. Jackson 1762 W 800 S Pingree, ID 83262	35-07729	John R. Duffin; See 35-07164A
35-07453B	George Jackson; See 35-07453A	35-07732	Todd Feld P. O. Box B Aberdeen, ID 83210
35-07494	Leonard E. Phillips 1522 S 2600 W Aberdeen, ID 83210	35-07737	Sherman N. Smith; See 35-07507
35-07507	Sherman N. Smith 2321 W 1400 S Sterling, ID 83279	35-07756	Juan Burusco; See 35-02498
35-07519	Stroschein Ranches Inc. 1464 Alpowa Ave. Moscow, ID 83843	35-07760	Raymond Funk; See 35-02072
35-07530	Dwight W. Horsch 1911 S 2700 W Aberdeen, ID 83210	35-07762	Bill Funk; See 35-02154
35-07592	George Jackson; See 35-07453	35-07790	Marjorie Sainz Ltd. Partnership; See 35-04113
35-07599	Larry E. Watt; See 35-07012B	35-07820	Thayne Driscoll; See 35-00038F
35-07618	Juan A. Irigoyen 1751 S 2600 W Aberdeen, ID 83210	*35-07865	Diane J. Deeg 2957 Deeg Road American Falls, ID 83211
35-07621	Juan Irigoyen; See 35-07618	35-07890	Knudsen Poor Farms Inc. 2700 W 2100 S Aberdeen, ID 83210
35-07627	Robert E. Mann 2556 W 1400 S Aberdeen, ID 83210	35-07894	H. Alan Funk; See 35-02066A
35-07643A	University of Idaho; See 35-04221	35-07903A	LDS Real Est Div; See 35-07022
35-07647	Bill Funk; See 35-02154	35-07903B	Albert Babneau 384 S 1200 W Pingree, ID 83262
35-07680	David L. Wahlen 2481 W 1000 S Sterling, ID 83210	35-07945	Jack Poulson 2700 W Hwy. 39 Aberdeen, ID 83210
35-07696	Charles J. Shackelford; See 35-02073	35-07948	Scott E. Poulson 2831 W 1500 S Aberdeen, ID 83210
35-07721	Theron T. Edwards; See 35-07286	35-07957	David P. Dance; See 35-07422
		35-08054	Ronald W. Stroschein 1292 S 2600 W Aberdeen, ID 83210

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Department of Water Resources

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Department of Water Resources
Eastern Region

2001 NOV 28 PM 2:33

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED

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

Case No. 35976

A. Subcase No. 35-02315
and each subcase listed in Exhibit
A attached hereto

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Twin Falls Canal Company
Address: P.O. Box 326
Twin Falls, Idaho 83303-0326
Daytime Phone: (208) 733-6731

Name & Address of Attorney, if any:

John K. Simpson
John A. Rosholt
BARKER ROSHOLT & SIMPSON, LLP
P.O. Box 2139
Boise, ID 83701-2139

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

Name: Aberdeen-Springfield Canal Company
c/o Roger Ling

Address: Ling & Robinson

PROFILED

SCANNED

SEP 07 2005

F.

VERIFICATION (Must be Completed)

State of IDAHO

)

)ss.

County of Twin Falls

)

John A. Rosholt, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

John A. Rosholt

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 28, 2001.



Crystal Winney Vincent
NOTARY PUBLIC FOR IDAHO
Residing at: *Twin Falls, ID*
My commission expires: *April 8, 2004*

PROFILED

SCANNED

SEP 07 2005

EXHIBIT "A"

35-00038F	Thayne Driscoll 3140 Willow Street American Falls, ID 83211-5520	35-02172	Bowler Ranches Inc P. O. Box 760 American Falls, ID 83211
35-02049	Lehman Farms 2853 W 2000 S Aberdeen, ID 83210	35-02226	Leota Judge 688 S 1800 W Pingree, ID 83262
35-02066A	H. Alan Funk 2065 S 2800 W Aberdeen, ID 83210	35-02236	Judith Dvorak 1876 S 2900 W Aberdeen, ID 83210
35-02066B	H. Alan Funk; See 35-02066A	35-02271	Sherman L. Ruff 3005 W 2100 S Aberdeen, ID 83210
35-02072	Raymond Funk 2066 S 2950 W Aberdeen, ID 83210	35-02298	Everett K. Wood 2681 W 1100 S Aberdeen, ID 83210
35-02073	Charles J. Shackelford P. O. Box 212 Aberdeen, ID 83210	35-02308A	Charles A. Rossi 482 S 1600 W Pingree, ID 83262
35-02100	Arthur J. Jones 1697 W 700 S Pingree, ID 83262	35-02339	Paul T. Woods 771 S 1800 W Pingree, ID 83262
35-02116	Behrend Farms 2807 W 1900 S Aberdeen, ID 83210	35-02347	Otto R. Klassen 281 W. Boise Street Aberdeen, ID 83210
35-02127	Julia Wada Valentine 334 S 1300 W Pingree, ID 83262	35-02370	Lynn E. Hansen 2745 W 1800 S Aberdeen, ID 83210
35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	35-02387A	Charles J. Shackelford; See 35-02073
35-02167B	Sylvia and Clarence Schroeder 2308 S Moser Road American Falls, ID 83211	35-02406	Line View Farms, Inc. 2269 W 800 S Aberdeen, ID 83210
35-02167D	William R. Schroeder 2388 S Moser Rd American Falls, ID 83211	35-02470	Raymond and Betty Funk; See 35-02072
35-02167E	Katherine Schroeder Estate P. O. Box 17 Aberdeen, ID 83210	35-02498	Juan Burusco 2514 W 1700 S Aberdeen, ID 83210
35-02167F	Katherine Schroeder Estate; See 35-02167E	35-02504A	Isaac D. Pierce 2592 W 1300 S Sterling, ID 83210

PROFILED

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35-07422	David P. Dance 471 S 1200 W Pingree, ID 83262	35-07722	DeGiulio Ranch Inc. 2340 W 900 S Sterling, ID 83210
35-07450	H. Homer Anderson 2632 S 1470 W St. George, UT 84770	35-07728	John R. Duffin; See 35-07164A
35-07453A	George R. Jackson 1762 W 800 S Pingree, ID 83262	35-07729	John R. Duffin; See 35-07164A
35-07453B	George Jackson; See 35-07453A	35-07732	Todd Feld P. O. Box B Aberdeen, ID 83210
35-07494	Leonard E. Phillips 1522 S 2600 W Aberdeen, ID 83210	35-07737	Sherman N. Smith; See 35-07507
35-07507	Sherman N. Smith 2321 W 1400 S Sterling, ID 83279	35-07756	Juan Burusco; See 35-02498
35-07519	Stroschein Ranches Inc. 1464 Alpowa Ave. Moscow, ID 83843	35-07760	Raymond Funk; See 35-02072
35-07530	Dwight W. Horsch 1911 S 2700 W Aberdeen, ID 83210	35-07762	Bill Funk; See 35-02154
35-07592	George Jackson; See 35-07453	35-07790	Marjorie Sainz Ltd. Partnership; See 35-04113
35-07599	Larry E. Watt; See 35-07012B	35-07820	Thayne Driscoll; See 35-00038F
35-07618	Juan A. Irigoyen 1751 S 2600 W Aberdeen, ID 83210	*35-07865	Diane J. Deeg 2957 Deeg Road American Falls, ID 83211
35-07621	Juan Irigoyen; See 35-07618	35-07890	Knudsen Poor Farms Inc. 2700 W 2100 S Aberdeen, ID 83210
35-07627	Robert E. Mann 2556 W 1400 S Aberdeen, ID 83210	35-07894	H. Alan Funk; See 35-02066A
35-07643A	University of Idaho; See 35-04221	35-07903A	LDS Real Est Div; See 35-07022
35-07647	Bill Funk; See 35-02154	35-07903B	Albert Babneau 384 S 1200 W Pingree, ID 83262
35-07680	David L. Wahlen 2481 W 1000 S Sterling, ID 83210	35-07945	Jack Poulson 2700 W Hwy. 39 Aberdeen, ID 83210
35-07696	Charles J. Shackelford; See 35-02073	35-07948	Scott E. Poulson 2831 W 1500 S Aberdeen, ID 83210
35-07721	Theron T. Edwards; See 35-07286	35-07957	David P. Dance; See 35-07422
		35-08054	Ronald W. Stroschein 1292 S 2600 W Aberdeen, ID 83210

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Department of Water Resources

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Eastern Region

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DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED

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

Case No. 35976

A. Subcase No. 35-02315
and each subcase listed in Exhibit
A attached hereto

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: North Side Canal Company
Address: 921 North Lincoln
Jerome, ID 83338
Daytime Phone: (208) 324-2319

Name & Address of Attorney, if any:

John K. Simpson
John A. Rosholt
BARKER ROSHOLT & SIMPSON, LLP
P.O. Box 2139
Boise, ID 83701-2139

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

Name: Aberdeen-Springfield Canal Company
c/o Roger Ling

Address: Ling & Robinson

PROFILED

SCANNED

SEP 07 2005

F.

VERIFICATION (Must be Completed)

State of IDAHO

)

)ss.

County of Twin Falls

)

John A. Rosholt, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

John A. Rosholt

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 28, 2001.



Crystal Winney Vincent
NOTARY PUBLIC FOR IDAHO
Residing at *Twin Falls, ID*
My commission expires: *April 8, 2004*

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35-02154	Bill Funk 3252 N. Pleasant Valley Rd. American Falls, ID 83211	35-02387A	Charles J. Shackelford; See 35-02073
35-02167B	Sylvia and Clarence Schroeder 2308 S Moser Road American Falls, ID 83211	35-02406	Line View Farms, Inc. 2269 W 800 S Aberdeen, ID 83210
35-02167D	William R. Schroeder 2388 S Moser Rd American Falls, ID 83211	35-02470	Raymond and Betty Funk; See 35-02072
35-02167E	Katherine Schroeder Estate P. O. Box 17 Aberdeen, ID 83210	35-02498	Juan Burusco 2514 W 1700 S Aberdeen, ID 83210
35-02167F	Katherine Schroeder Estate; See 35-02167E	35-02504A	Isaac D. Pierce 2592 W 1300 S Sterling, ID 83210

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35-07422	David P. Dance 471 S 1200 W Pingree, ID 83262	35-07722	DeGiulio Ranch Inc. 2340 W 900 S Sterling, ID 83210
35-07450	H. Homer Anderson 2632 S 1470 W St. George, UT 84770	35-07728	John R. Duffin; See 35-07164A
35-07453A	George R. Jackson 1762 W 800 S Pingree, ID 83262	35-07729	John R. Duffin; See 35-07164A
35-07453B	George Jackson; See 35-07453A	35-07732	Todd Feld P. O. Box B Aberdeen, ID 83210
35-07494	Leonard E. Phillips 1522 S 2600 W Aberdeen, ID 83210	35-07737	Sherman N. Smith; See 35-07507
35-07507	Sherman N. Smith 2321 W 1400 S Sterling, ID 83279	35-07756	Juan Burusco; See 35-02498
35-07519	Stroschein Ranches Inc. 1464 Alpowa Ave. Moscow, ID 83843	35-07760	Raymond Funk; See 35-02072
35-07530	Dwight W. Horsch 1911 S 2700 W Aberdeen, ID 83210	35-07762	Bill Funk; See 35-02154
35-07592	George Jackson; See 35-07453	35-07790	Marjorie Sainz Ltd. Partnership; See 35-04113
35-07599	Larry E. Watt; See 35-07012B	35-07820	Thayne Driscoll; See 35-00038F
35-07618	Juan A. Irigoyen 1751 S 2600 W Aberdeen, ID 83210	*35-07865	Diane J. Deeg 2957 Deeg Road American Falls, ID 83211
35-07621	Juan Irigoyen; See 35-07618	35-07890	Knudsen Poor Farms Inc. 2700 W 2100 S Aberdeen, ID 83210
35-07627	Robert E. Mann 2556 W 1400 S Aberdeen, ID 83210	35-07894	H. Alan Funk; See 35-02066A
35-07643A	University of Idaho; See 35-04221	35-07903A	LDS Real Est Div; See 35-07022
35-07647	Bill Funk; See 35-02154	35-07903B	Albert Babneau 384 S 1200 W Pingree, ID 83262
35-07680	David L. Wahlen 2481 W 1000 S Sterling, ID 83210	35-07945	Jack Poulson 2700 W Hwy. 39 Aberdeen, ID 83210
35-07696	Charles J. Shackelford; See 35-02073	35-07948	Scott E. Poulson 2831 W 1500 S Aberdeen, ID 83210
35-07721	Theron T. Edwards; See 35-07286	35-07957	David P. Dance; See 35-07422
		35-08054	Ronald W. Stroschein 1292 S 2600 W Aberdeen, ID 83210

PROFILED

SCANNED

SEP 07 2005

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7737 Priority August 2, 1977 Amount 3.05 cfs

THIS IS TO CERTIFY that SHERMAN N. SMITH
of Sterling, Idaho has complied with the terms and conditions of Permit
No. 35-7737 issued pursuant to Application for Permit dated August 2, 1977
and has submitted proof to the Department of Water Resources on October 22, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.05 cfs of water from a groundwater source
tributary to _____ and that the permit holder has applied to a beneficial use an
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	<u>3.05 cfs</u> and	<u>651 acre feet</u>
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 3.05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confined to for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
651 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 5S,
Rge. 32E, B.N. is the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Totals		
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4			
5S	32E	7			37	38									39	38	186
												</					

Total number of acres irrigated 186

This right when combined with all other rights shall provide no more than 3.5 afa
per acre for the lands above, nor more than .02 cfs per acre.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of
February 19 81

Director

T55 R32E

37 + 38

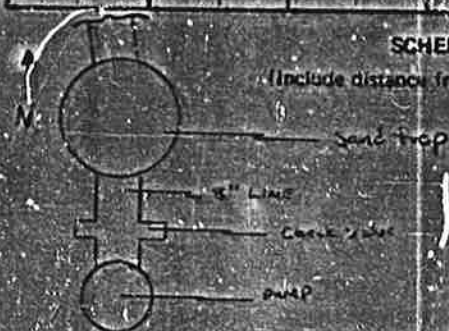
39 + 34

53

PO

MAINLINE

(Include distance from pump to measuring device, if applicable.)

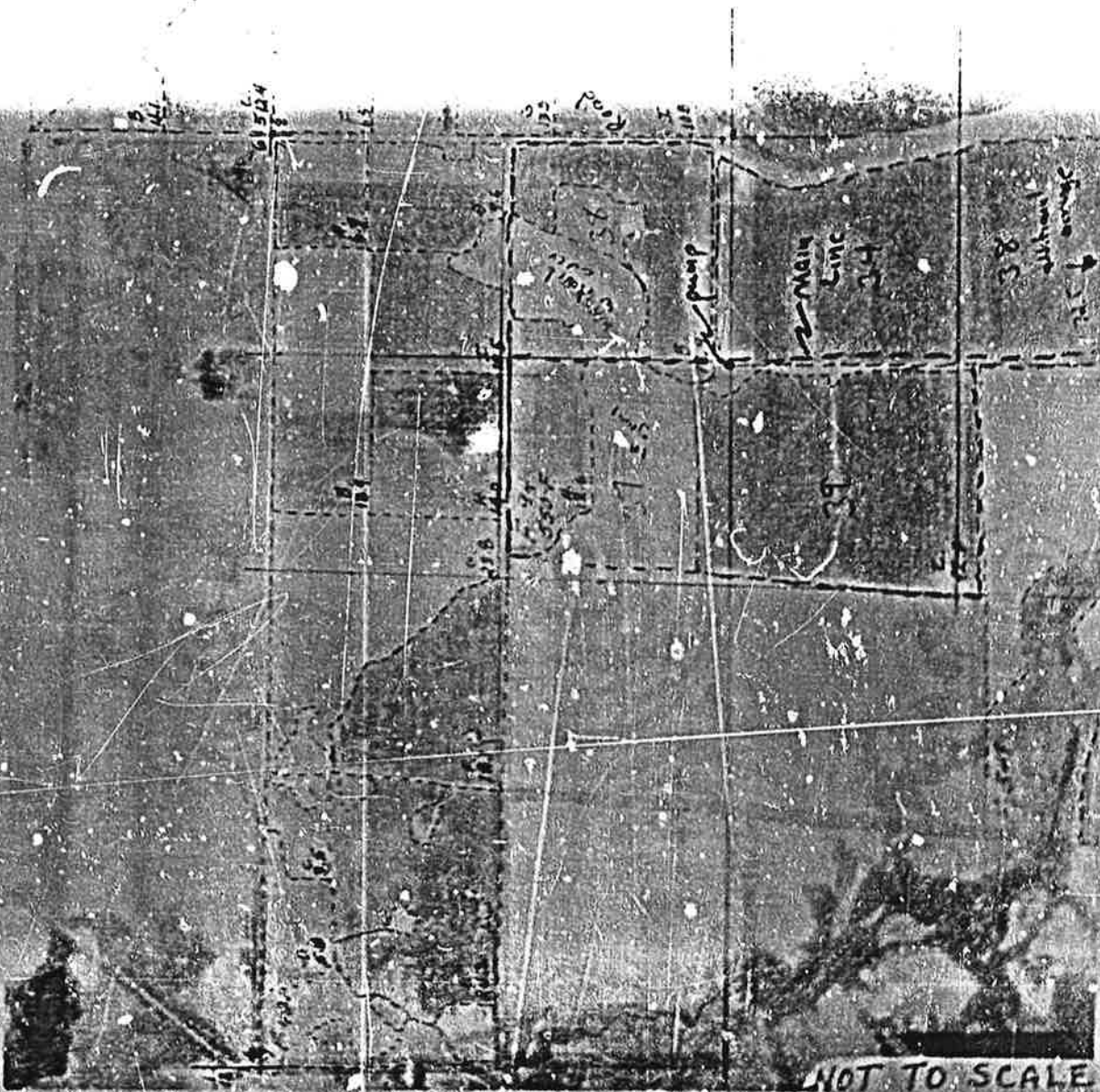


Point(s) of diversion: NW of SE SECT 7 T5S R32E

[illegible]

© CCH

GSZ# 17218



NOT TO SCALE

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT35-7737
Permit No.

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed.☐ Telephone call made:
(List Telephone No. used)☐ Appointment scheduled for:
(Date, time, location)

EXAMINATION

Date 7-18-80 Accompanied by Sherman Smith Total Q measured 3.05 cfs

If source is surface water, estimate total flow of source

Methods of measurement Annubar Meets Permit requirements? Yes

Measurement calculations: $V = 186 \text{ cfm} \times 2.5$ $V = 651 \text{ cfs} \checkmark$ $=$	$(7.5)^2 \times 3.55 \times 1.40$ $56.25 \times 4.97 \times 1.40$ 1311.2 cm^3 $3.05 \text{ cfs} \checkmark$	$V = 3.05 \text{ cfs} \times 1.9835 \times 2.14$ $V = 1294.6 \text{ cfs}$
--	--	--

WELL/DIVERSION NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	100	GE	GKJ17102	Barkley	7625173	P Annubar	x long 1/2"	

System Description From well thru pump/motor and check valve connection to steel line to spherical sand trap then thru 10" line to main line (buried) crossing North and South. Serves 19 wheel lines.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation

Irrigation requirement = 3.5

Q (cfs)

3.05 cfs $\checkmark$

V (afa)

651 cfs $\checkmark$

AFA/Acre

FROM

TO

April

Nov. 1

Total

Remarks