

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A36-12784

Date Received

Receipt Number 500 9446

RECEIVED

NOTICE OF CLAIM

SEP 28 1989

Department of Water Resources
Southern Region OfficeTO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Thomas Robert Orr, Jr. Phone (208) 436-9822
Mailing Address P O Box 501 Rupert, ID Zip 83350
2. Date of Priority (Only one per claim) September 1, 1978 Month/Day/Year
3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source
4. Location of point of diversion is: Township 9S Range 24E
Section 16 NE 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, B.M. _____
County of MINIDOKA
- Additional points of diversion if any: _____
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WELL, 6" CASING, 80 Feet Deep, 1 HP Pump, Pipe to House
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See instructions.)
For DOMESTIC purposes from 1-1 to 12-31 amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed 0.04 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership and Number of livestock) DOMESTIC, ONE HOUSEHOLD, SINGLE OWNERSHIP

OCT 20 1994

10. Place of use is: Township: 9S Range 24E

Section 16 SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? MINIDOKA

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or PROPERTY DESCRIPTION: LOT 1 BLOCK 3 BALLIET SUBDIVISION
MINIDOKA COUNTY

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Thomas Robert Chaffin

Date

9/27/89

Date

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____ that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

and that the statements contained in the foregoing document are true and correct. _____ Organization

Signature of Authorized Agent _____

Date

Title and Organization _____

State of Idaho/or _____)

County of MINIDOKA)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 27th day of September 19 89

SEAL

Notary Public David R. Williams

Residing at Rupert, Idaho

My Commission Expires 2-12-94

Last Name _____

Ident No. _____

MICROFILMED

Copies: White-State, Yellow-Claimant

OCT 20 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-12784
Date Received: 9/28/1989
Receipt No: S009446
Received By: _____
DATA ENTERED BY: sec
DATE: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS ROBERT ORR, JR. 208-436-9822
Address: P.O. BOX 501
RUPERT, ID 83350

2. Date of Priority: SEP 01, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	24E	16	NE	SW	SW		MINIDOKA

5. Description of diverting works:
6"X 80' WELL, 1 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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	24E	16	SW	SW		DOMEST	

11. Place of use in counties: MINIDOKA.

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 1, BLK. 3, BALLIET SUBDV.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Oct. 16, 1989

Re: A36-12784

THOMAS ROBERT ORR JR
P O BOX 501
RUPERT ID 83350

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 15 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

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DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Bob Workman 436-4717
Attorney for Tom Orr
36-12784

2. SUBJECT OF INQUIRY:

Mr. Workman wanted to know what was needed on the objection form to correct the error that had appeared in the Basin 36 Director's Report for right 36-12784.

3. RESPONSE TO INQUIRY:

I explained how the error occurred in data entry, and how the information for claim A35-12784 wound up in the recommendation of 36-12784. Mr. Workman then asked if he filled out the objection form stating that 36-12784 was recommended with the information from A35-12784 and should have been recommended with the information from A36-12784 would that correct the problem. I told him that was the information that was needed on the objection form.

4. IDWR STAFF AND DATE:

Print name and initial

Carter Fritschle CF 4-21-93

WATER RIGHT CLAIM (Nos.):

36-12734

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 12, 1993

Thomas R. Orr, Jr.
P.O. Box 501
Rupert, ID 83350

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Claim A36-12784

Dear Mr. Orr:

Enclosed is an objection form with instructions that may be used to correct the error made in the recommendation of your water right in the Basin 36 Director's Report. I have also enclosed the summary sheets as you requested in our telephone conversation this morning.

You may contact me at 1-800-451-4129 if you have any questions.

Sincerely,


Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CLF:sf:state:tf

Enclosures:

Objection Form
Claim Summary Sheet

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 29, 1993

Thomas R. Orr, Jr.
P.O. Box 501
Rupert, ID 83350

RE: Snake River Basin Adjudication (SRBA)
Bonneville County - Claim A36-12784

Dear Mr. Orr:

We recently found a typographical error on the recommendation of your Notice of Claim in the Basin 36 Director's Report submitted to the court on November 2, 1992.

The error consists of the following: incorrect information was data entered into the recommendation and the information contained in the recommendation did not correspond to the information from your claim. As you can see on the enclosed summary sheets, the claim, identified as A36-12784, and the recommendation 36-12784 (without the 'A' prefix), are not both recommended in your name. Also, the legal locations do not match the descriptions on your claim.

The only method currently known to this department available to correct this error is by your submission of an objection to the SRBA Court. Filing an objection will call the error to the Court's attention. It should also prevent your right from being incorrectly decreed and will give us the opportunity to correct the information. However, you should remember that the Snake River Basin Adjudication is a legal proceeding. There may be other legal procedures available to you to have this error corrected, and only a lawyer is qualified to give you legal advice. If you do have any questions concerning your legal rights and remedies, I encourage you to consult an attorney.

Enclosed is an Objection Form for your consideration and possible use in this matter. Also enclosed is a copy of the SRBA Court's order concerning the filing of objections. Please read the order and the instructions for use of the form carefully.

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Thomas R. Orr, Jr.
March 29, 1993
Bonneville County - Page 2

Note that May 1, 1993, is the deadline for filing objections in Basin 36. If you have any questions, please feel free to call me.

Sincerely,

Helen Harrington-Thornton
Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:state:tf
Enclosures:
 Objection Form
 SRBA Court Order

The information on the form A 36-12784 is correct. It appears that either there is also a Ballet Subdivision in Bonneville County or data was inputted incorrectly.

Thank you
Thomas Robert Orr Jr.

3/30/93

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DIVERSION
VOLUME

Stage: BENEFICIAL USE

MINIDOKA County

NE

NW

SW

SE

Field Inspection Flag:
Presumption Flag:

VERSION
VOLUME

MICROFILMED
OCT 20 1994
SPECIAL USE

AJ5809NP
No. 36-12784

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/26/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD A SOUTHWORTH	11/15/1972	DOMESTIC	01-01 12-31	0.04 CFS	
C	DIANE SOUTHWORTH 1658 N 5500 W IDAHO FALLS ID 83402 (208) 523-3555					
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R37E S17

NWNWNW

BONNEVILLE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE																				
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	
02N 37E 17 :																																				
: D :																																				

POU County: BONNEVILLE

Non-Irrigation Uses: DOMESTIC, 1 HOME.

Other Rights: NONE

Remarks: PROPERTY ALSO KNOWN AS LOT 1, BLOCK 3, BALLIET SUBDIVISION
PARCEL NO. RP001800030010

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

430

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 29, 1993

Thomas R. Orr, Jr.
P.O. Box 501
Rupert, ID 83350

RE: Snake River Basin Adjudication (SRBA)
Bonneville County - Claim A36-12784

Minidoka

Dear Mr. Orr:

We recently found a typographical error on the recommendation of your Notice of Claim in the Basin 36 Director's Report submitted to the court on November 2, 1992.

The error consists of the following: incorrect information was data entered into the recommendation and the information contained in the recommendation did not correspond to the information from your claim. As you can see on the enclosed summary sheets, the claim, identified as A36-12784, and the recommendation 36-12784 (without the 'A' prefix), are not both recommended in your name. Also, the legal locations do not match the descriptions on your claim.

The only method currently known to this department available to correct this error is by your submission of an objection to the SRBA Court. Filing an objection will call the error to the Court's attention. It should also prevent your right from being incorrectly decreed and will give us the opportunity to correct the information. However, you should remember that the Snake River Basin Adjudication is a legal proceeding. There may be other legal procedures available to you to have this error corrected, and only a lawyer is qualified to give you legal advice. If you do have any questions concerning your legal rights and remedies, I encourage you to consult an attorney.

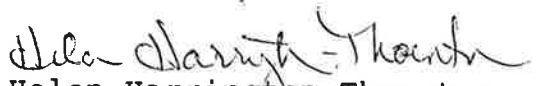
Enclosed is an Objection Form for your consideration and possible use in this matter. Also enclosed is a copy of the SRBA Court's order concerning the filing of objections. Please read the order and the instructions for use of the form carefully.

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Thomas R. Orr, Jr.
March 29, 1993
Bonneville County - Page 2

Note that May 1, 1993, is the deadline for filing objections in Basin 36. If you have any questions, please feel free to call me.

Sincerely,


Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:state:tf
Enclosures:
 Objection Form
 SRBA Court Order

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DIVERSION VOLUME

Field Inspection Flag:
Presumption Flag:

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OCT 20 1994

AJ5809NP
No. A36-12784

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/26/93
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS ROBERT ORR JR PO BOX 501 RUPERT ID 83350 (208) 436-9822	09/01/1978	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09S R24E S16

NESWSW

MINIDOKA County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
09S	24E	16	:					:					:					:					:	

POU County: MINIDOKA

Non-Irrigation Uses: D/1 HOUSE

Other Rights: NONE

Remarks: LOT 1, BLK. 3, BALLIET SUBDV.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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MEMORANDUM

To: Nick Spencer, SRBA Attorney
From: Helen Harrington-Thornton ^{HHT}
Date: December 17, 1992
Subject: A36-12784/36-12784
Need for Correction in Director's Report

=====

Data entry errors have led to a need for correction in the Basin 36 Director's Report. It occurred as follows:

A36-12784 was reviewed by Contractor.

Data entry of contractor information copied A35-12784 in R36-12784. Proof reading did not catch this error.

Therefore, the Director's Report has a recommendation for a claim located in Bonneville County with a Basin 36 number. The correct Basin 36 number was not recommended in any form.

The method I imagine for correcting this error is as follows:

R36-12784 - Recommend for Disallowal
A36-12784 - Renumber
R(Renumber) - Correct recommendation

I will not take any action until I hear from you.

cc: D. Shaff
A. Merritt

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Water Right Number - 36-12784

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SOUTHWORTH

RICHARD A

1 - 1658 N 5500 W

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-3555

SOUTHWORTH

DIANE

1 - 1658 N 5500 W

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-3555

*** O - ORIGINAL OWNER ***
MELISH

RUSSELL

1 - 1658 N 55 W

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-9837

+ - - Priority Date - - +
11/15/1972+ - - - Region - - - +
15 EASTERN+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
02N	37E	17	NW NW NW			(19) BONNEVILLE		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31	0.040	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.040			0.0	

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	37E	17	NW NW			43 DOMESTIC		(19) BONNEVILLE

+ - - Diversion Means - WELL, 8" CASING, 260' DEEP, 1 1/2HP SUBMERSIBLE PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME.

+ - - Other Rights for Same Use - NONE

Remarks
PROPERTY ALSO KNOWN AS LOT 1, BLOCK 3, BALLIET SUBDIVISION PARCEL NO. RP001800030010

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OCT 20 1994

Water right number - 36-12784

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - -
+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.
+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date +
00/00/0000
+ - - Audit Fields - 05/28/91 SRBA 07/21/92 POST-STD 10/28/92 PEPPERSA 11/02/92 CPSHAW 12/05/92 ADT-SHAW
+ - - - - -Comments- - - - -
Date: 10/28/1992 User Id: PEPPERSA Subject: REMOVED "CHANGE IN OWNERSHIP" FROM REMARKS
REMOVED "CHANGE IN OWNERSHIP" FROM REMARKS. CHANGE IN OWNERSHIP 11/14/90/JT
+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/22/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E012505	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND	Notice of Error Flag	-

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original claim
(Basin 35)IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT12/17/92 08:13:14
Page 1

Water Right Number - A35-12784

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SOUTHWORTH

RICHARD A.

1 - 1658 N 5500 W

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-3555

SOUTHWORTH

DIANE

1 - 1658 N 5500 W

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-3555

*** O - ORIGINAL OWNER ***
MELISH

RUSSELL

1 - 1658 N. 55 W.

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-9837

+ - - Priority Date - - +
11/15/1972+ - - Region - - - +
15 EASTERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 37E 17 NW NW NW (19) BONNEVILLE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

02N

37E

17

NW NW

43 DOMESTIC

(19) BONNEVILLE

+ - - Diversion Means - WELL, 8" CASING, 260' DEEP, 1 1/2HP SUBMERSIBLE PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME.

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
CHANGE IN OWNERSHIP, 11/14/90/JT

MICROFILMED

OCT 20 1994

Water right number - A35-12784

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - -

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

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

+ - - Audit Fields - 05/31/90 BLOOM 11/14/90 THOMPSON

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/22/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E012505	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND	Notice of Error Flag	-

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OCT 20 1994

Water Right Number - A36-12784

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
ORR JR

THOMAS ROBERT

1 - PO BOX 501

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-9822

+ - - Priority Date - - +
09/01/1978

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

09S 24E 16 NE SW SW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 24E 16 SW SW 43 DOMESTIC (67) MINIDOKA

+ - - Diversion Means - 6"X 80' WELL, 1 HP PUMP

+ - - Non-Irrigation Use - D/1 HOUSE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
LOT 1, BLK. 3, BALLIET SUBDV.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - Audit Fields - 10/04/89 CLELLAND 07/18/92 POST-STD

MICROFILMED
OCT 20 1994

Prefix Translation: ADJUDICATION CLAIM

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

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OCT 20 1994

MEMORANDUM

To: Nick Spencer, SRBA Attorney
From: Helen Harrington-Thornton^{HHT}
Date: December 17, 1992
Subject: A36-12784/36-12784
Need for Correction in Director's Report

=====

Data entry errors have led to a need for correction in the Basin 36 Director's Report. It occurred as follows:

A36-12784 was reviewed by Contractor.

Data entry of contractor information copied A35-12784 in R36-12784. Proof reading did not catch this error.

Therefore, the Director's Report has a recommendation for a claim located in Bonneville County with a Basin 36 number. The correct Basin 36 number was not recommended in any form.

The method I imagine for correcting this error is as follows:

R36-12784 - Recommend for Disallowal
A36-12784 - Renumber
R(Renumber) - Correct recommendation

I will not take any action until I hear from you.

cc: D. Shaff
A. Merritt

MICROFILMED

OCT 20 1994

Water right number - 36-12784

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - -
+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.
+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - - +
+ - - - - Decree Defendant - - - - +
+ - - Decree Date - - - - +
00/00/0000

+ - - Audit Fields - 05/28/91 SRBA 07/21/92 POST-STD 10/28/92 PEPPERSA 11/02/92 CPSHAW 12/05/92 ADT-SHAW

+ - - - - Comments - - - - -
Date: 10/28/1992 User Id: PEPPERSA Subject: REMOVED "CHANGE IN OWNERSHIP" FROM REMARKS
REMOVED "CHANGE IN OWNERSHIP" FROM REMARKS. CHANGE IN OWNERSHIP 11/14/90/JT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/22/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E012505	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND	Notice of Error Flag	-

MICROFILMED
OCT 20 1994

original claim
(Basin 35)

Water Right Number - A35-12784

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SOUTHWORTH

RICHARD A.

1 - 1658 N 5500 W

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-3555

SOUTHWORTH

DIANE

1 - 1658 N 5500 W

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-3555

*** O - ORIGINAL OWNER ***
MELISH

RUSSELL

1 - 1658 N. 55 W.

2 -

3 -

City- IDAHO FALLS

State- ID Zip- 83402

Phone - 208-523-9837

+ - - Priority Date - - +
11/15/1972+ - - - Region - - - +
15 EASTERN+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 37E 17 NW NW NW (19) BONNEVILLE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

02N

37E

17

NW NW

43 DOMESTIC

(19) BONNEVILLE

+ - - Diversion Means - WELL, 8" CASING, 260' DEEP, 1 1/2HP SUBMERSIBLE PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME.

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
CHANGE IN OWNERSHIP, 11/14/90/JT

MICROFILMED

OCT 20 1994

Water right number - A35-12784

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

+ - - Audit Fields - 05/31/90 BLOOM 11/14/90 THOMPSON

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/22/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E012505	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND	Notice of Error Flag	-

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OCT 20 1994

Original claim
(Basin 36)IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT12/17/92 08:14:13
Page 1

Water Right Number - A36-12784

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
ORR JR

THOMAS ROBERT

1 - PO BOX 501

2 -

3 -

City- RUPERT

Phone - 208-436-9822

State- ID Zip- 83350

+ - - Priority Date - - +
09/01/1978+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

09S 24E 16 NE SW SW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S

24E

16

SW SW

43 DOMESTIC

(67) MINIDOKA

+ - - Diversion Means - 6"X 80' WELL, 1 HP PUMP

+ - - Non-Irrigation Use - D/1 HOUSE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
LOT 1, BLK. 3, BALLIET SUBDV.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/04 39 CLELLAND 07/18/92 POST-STD

MICROFILMED
OCT 20 1994

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

MICROFILMED
OCT 20 1994

INTER-DEPARTMENT MEMO

TO: File 36-12784

SUBJECT: _____

FROM: AllenDATE: 12/10/92

Jeanie noticed that recent "R" record by
Peppersack was not for same person as original
without explanation. Further review seems to indicate
the last R and ultimately the Director's reported
record is not correct. I phoned Helen to
see if she could find something out.

☐ For your information☐ Response required

AD **MICROFILMED**
signature **OCT 20 1994**

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD A SOUTHWORTH	11/15/1972	DOMESTIC	01-01 12-31	0.04 CFS	
C	DIANE SOUTHWORTH 1658 N 5500 W IDAHO FALLS ID 83402 (208) 523-3555					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R37E S17

NWNWNW

BONNEVILLE County

Place of use Legal Description for: DOMESTIC

	NE					NW					SW					SE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
02N	37E	17	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: BONNEVILLE

Non-Irrigation Uses: DOMESTIC, 1 HOME.

Other Rights: NONE

Remarks: PROPERTY ALSO KNOWN AS LOT 1, BLOCK 3, BALLIET SUBDIVISION
PARCEL NO. RP001800030010

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/28/1992 User-ID: PEPPERSA Subject: REMOVED "CHANGE IN OWNERSHIP" FROM REMARKS
REMOVED "CHANGE IN OWNERSHIP" FROM REMARKS. CHANGE IN OWNERSHIP
11/14/90/JT

Audit: 10/28/92 PEPPERSA

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OCT 20 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-12784 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

Name: THOMAS R ORR JR
Address: PO BOX 501
RUPERT ID 83350

3. If this response is filed by an attorney:

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

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

1. ☒ Name and Address: I respond to the objection concerning the name and/or address of the owner of the water right.
5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.

REASONS SUPPORTING EACH BOX CHECKED

There is an error in the listing of the name and/or address of the claimant of this right in the director's report. There are also errors in the description of the priority date, point of diversion and place of use of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law."

CHANGES TO THE DIRECTOR'S REPORT

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

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

	No. of Pages
Notice of Claim No. A36-12784	2
Recommended Water Rights Acquired under State Law	1

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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



Signature of person filing response

By: 

(Attorney signing in
representative capacity)

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



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

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

CERTIFICATE OF MAILING

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

1. Original to:

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

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

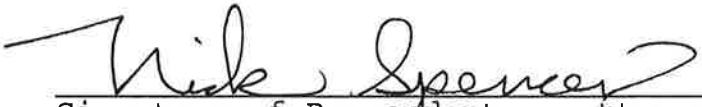
Name: RICHARD A & DIANE SOUTHWORTH
Address: 1658 N 5500 W
IDAHO FALLS ID 83402

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: D R WORKMAN
Address: PO BOX 396
RUPERT ID 83350

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A36-12784

Date Received

Receipt Number 5009446

RECEIVED

SEP 28 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Thomas Robert Orr, Jr. Phone (208) 436-9822
Mailing Address P O Box 501 Rupert, ID Zip 83350
- Date of Priority (Only one per claim) September 1, 1978 Month/Day/Year
- Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source
- Location of point of diversion is: Township 9S Range 24E
Section 16 , NE 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of MINIDOKA
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WELL, 6" CASING, 80 Feet Deep, 1 HP Pump, Pipe to House
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For DOMESTIC purposes from 1-1 to 12-31 amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC, ONE HOUSEHOLD, SINGLE OWNERSHIP

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FEB 15 1993

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OCT 20 1994

10. Place of use is: Township: 9S Range 24E

Section 16, SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? MINIDOKA

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or PROPERTY DESCRIPTION: LOT 1 BLOCK 3 BALLIET SUBDIVISION
MINIDOKA COUNTY

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Thomas Robert [Signature] Date 9/27/89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of MINIDOKA)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 27th day of September 19 89

SEAL

Notary Public [Signature]

Residing at Rupert, Idaho

My Commission Expires 2-12-94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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OCT 20 1994

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-4-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-12784	RICHARD A SOUTHWORTH DIANE SOUTHWORTH 1658 N 5500 W IDAHO FALLS ID 83402	11/15/1972 09/01/1978	DOMESTIC	01-01 12-31	.04 CFS	BENEFICIAL USE

THOMAS ROBERT ORR JR
PO BOX 501
RUPERT ID 83350

NON-IRRIGATION-USES:

TOTAL QUANTITY: .04 CFS

DOMESTIC, 1 HOME.

POINT OF DIVERSION:

~~T02N R37E S17~~~~T09S R24E S16~~~~NWNWNW~~~~NESWSW~~

PLACE OF USE: DOMESTIC

~~T02N R37E S17~~~~T09S R24E S16~~~~NWNWNW~~~~SWSW~~REMARKS: PROPERTY ALSO KNOWN AS LOT 1, BLOCK 3, BALLIET SUBDIVISION
PARCEL NO. RP001800030010MICROFILMED
OCT 20 1994

RECEIVED

MAY 04 1993

Department of Water Resources
Adjudication Bureau

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

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. A 36-12784

(You must insert the
water right number you
are objecting to)

AMENDED
OBJECTION

36-12784 -0001/
93-04-0430

INSTRUCTIONS

This form must be used to file an objection to any water right recommenced in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. 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 objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

(Over)

OBJECTION - 1

SRBA A.O. 1 Appendix A
2/17/93

MICROFILMED
OCT 20 1994

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

By filing an objection form, you are certifying that the objection 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 objecting:

Name: Thomas R. Orr, Jr.

Address: P. O. Box 501

Rupert, Idaho 83350

Briefly describe your interest in this water right:
Thomas R. Orr, Jr. is the owner of this water right.

2. Owner of the water right:

Name: Richard A. Southworth, Diane Southworth

Address: 1658 N 5500 W

Idaho Falls, Idaho 83402

3. If this objection is filed by an attorney:

Attorney Name: D. R. Workman

Attorney Address: P. O. Box 396

Rupert, Idaho 83350

Attorney Phone No.: (208) 436-4717

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

Idaho Department of Water Resources
Bureau of Water Rights

MAY 6 1993

SRBA A.O. 1 Appendix A
2/17/93

OBJECTION - 2

RECEIVED

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - 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 object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - 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 object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. Water Right Recommendation: I object to:
- a. this water right being recommended at all; or
 - b. this water right not being recommended.
13. Description of Reservation: I object to the legal description of the reservation.
14. Other: I object to: _____
- _____
- _____
- _____
- _____

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 water right was claimed as described on Exhibit "A" attached hereto. However, this water right appeared in the Basin 36 Director's Report. I have been advised by Carter Fritschle, Water Rights Supervisor, Adjudication Bureau to file this Objection to correct this administrative error.

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.

I want the Director's Report to be changed so that the correct legal description of this water right appears in the Director's Report. I have been advised by Carter Fritschle that a clerical error resulted in this water right to be incorrectly described. Although this water right was correctly claimed, a clerical error resulted in this water right not being correctly described in the Director's Report.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

X 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.

See Exhibit "A" and Exhibit "B" attached hereto.

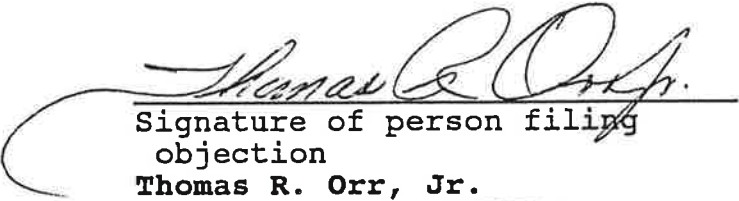
VERIFICATION (Must be Completed)

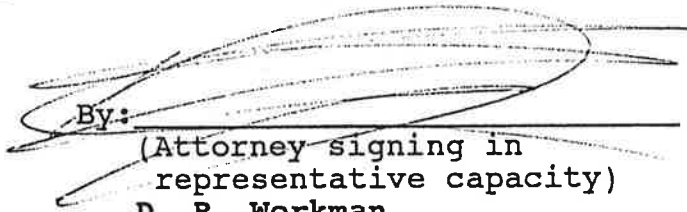
State of Idaho

County of Minidoka

Thomas R. Orr, Jr., being first duly
(name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, 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 objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing
objection
Thomas R. Orr, Jr.


By:
(Attorney signing in
representative capacity)
D. R. Workman

Subscribed and sworn to before me this 3rd day of May,
1993.


Notary Public for Idaho
Residing at: Burley
My Comm. Expires: 5-4-96

INSTRUCTIONS FOR MAILING

You must mail the objection, 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, if other than yourself; 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.

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of May, 1993, I mailed the original and copies of the foregoing objection, 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:

Owner name: Richard A. Southworth, Diane Southworth
Owner's address: 1658 North 5500 West
Idaho Falls, ID 83402

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734


(Signature of Objector or attorney
mailing on Objector's behalf)

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A36-12784	THOMAS ROBERT ORR JR PO BOX 501 RUPERT ID 83350	09/01/1978	DOMESTIC	01-01 12-31	0.04 CFS	BENEFICIAL USE

TOTAL DIVERSION RATE: 0.04 CFS
TOTAL DIVERSION VOLUME: 0.00 AFA

SOURCE: GROUNDWATER

TRIBUTARY:

POINT OF DIVERSION:

T09S R24E S16 NESWSW

PLACE OF USE: DOMESTIC

T09S R24E S16 SWSW

CONDITIONS OF APPROVAL:

REMARKS: LOT 1, BLK. 3, BALLIET SUBDV.

OTHER RIGHTS: NONE

This is how your right was claimed.

Exhibit "A"

MICROFILMED
OCT 20 1994

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED
FEB 15 1993

WATER RIGHT NUMBER - A36-12784

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - AUDIT FIELDS - 10/04/89 CLELLAND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 09/28/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S009446	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	-	PRESUMPTION FLAG	-

RP 001800030010

PROOF
DEC 19 1990

VERIFIED

DEC - 1990

DATA ENTRY

ENTERED 5/28/91 SW

CHECKED 2/29/92 AS

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

CERTIFIED

DEC 27 1990

WATER EXAMINER