

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. A36-13490
Date Received _____
Receipt Number 5010048

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

OCT 12 1989

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) A&B Irrigation District Phone (208) 436-3152
Mailing Address P.O. Box 675, Rupert, Idaho Zip 83350

2. Date of Priority (Only one per claim) 7-12-57 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 _____ 9 S. Range _____ 21 E.
Section 4, SE 1/4 of _____ SE 1/4 of _____ SE 1/4, Govt. Lot _____, BM.,
County of Jerome

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. 1 1/2 H.P. Berkley pump, 10" casing 66 ft, pump setting 333 ft.
static water level 306 ft., depth of well 360 ft.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day 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; Stockwater: Type and Number of livestock) Domestic - one household

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OCT 20 1994

10. Place of use is: Township: 9 S. Range 21 E.

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

County of Jerome 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? Jerome

12. Do you own the property listed above as place of use? Yes _____ No X * owned by Gov. under
If your answer is No, describe in Remarks below the authority you have to claim this water right. jurisdiction of A&B

13. Describe any other water rights used at the same place and for the same purposes as described above.
none

14. Remarks: _____

property owned by U.S. Bureau of REclamation, operated by A&B

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 0

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary-Manager

of A&B Irrigation District that I have signed the foregoing

document in the space below as Secretary-Manager of A&B Irrigation District

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

Signature of Authorized Agent [Signature] Date 10-3-89

Title and Organization A&B Irrigation District

State of Idaho/or _____)

County of Jerome) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of October 1989

SEAL

Notary Public [Signature]

Residing at [Signature]

My Commission Expires 10/31/94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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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 RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-13490
Date Received: 10/12/1989
Receipt No: S010048
Received By: B. V. V.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A & B IRRIGATION DISTRICT 208-436-3152
Address: P.O. BOX 675
RUPERT, ID 83350
2. Date of Priority: JUL 12, 1957
3. Source: GROUNDWATER. Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|----------|
| 09S | 21E | 4 | SE | SE | SE | | MINIDOKA |
5. Description of diverting works:
10" X 360' WELL, 1.5 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 | 21E | 4 | SE | SE | | DOMEST | |
11. Place of use in counties: MINIDOKA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE.

14. Remarks:

PROPERTY OWNED BY THE U.S. BUREAU OF RECLAMATION, OPERATED UNDER
THE JURISDICTION OF THE A & B IRRIGATION DISTRICT.
(PROPERTY #107)

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. 26, 1989

A & B IRRIGATION DISTRICT
P O BOX 675
RUPERT ID 83350

Re: A36-13484
A36-13485
A36-13486
A36-13487
A36-13488
A36-13489
A36-13490
A36-13491
A36-13492

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,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 15 1993

**RESPONSE TO NOTICE OF ERROR
IN THE SNAKE RIVER BASIN ADJUDICATION**

Water Right No: 36-13490 Contact Date: Sept 17/1992

IDWR Contact Person: (print and initial) Kelly K. Christensen

Claimant Contact Person Virgil D. Temple

Others Present -

Contact By (give date) 9-17-92 - phone call Meeting (location): _____

Phone Call (no.) _____ Letter (attach letter): _____

IDWR USE ONLY	
Date	Initials
Date Entered <u>9-18</u>	<u>KKC</u>
Verified <u>9-18</u>	<u>KKC</u>

I. Issues identified by claimant: P/D & P/U legal incorrect

II. Reasons provided claimant for original recommendation: _____

III. Additional information provided by claimant: Claimant identified P/U & P/D as 95-21E S-9 NENENE. Per phone conversation the P/U is a home used by ditch rider Virgil's desc of the P/U coincides with the physical lay out on out to Photo BB27 for Gov track C which is in the NENE NE of Sec 9.

IV. Changes to be made in final recommendation (if any): Change P/D & P/U as requested on notice of error. Add remark identifying P/U as track C.

V. Action taken (date): changed legals & remarks as indicated

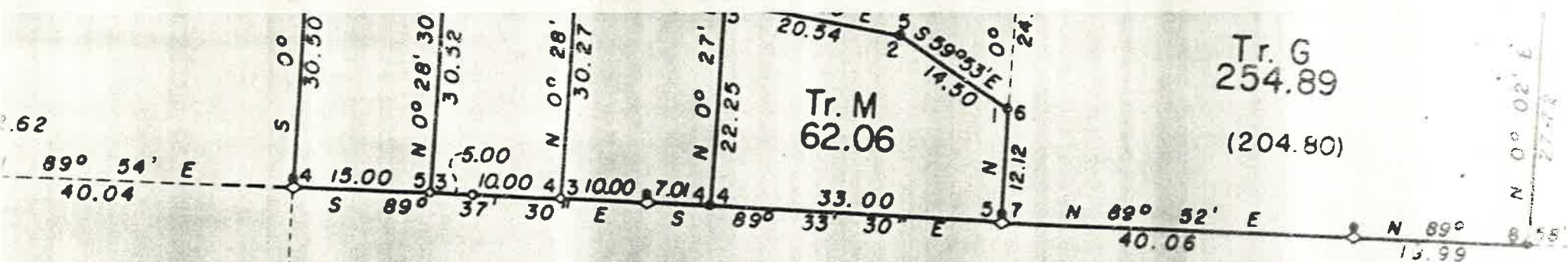
MICROFILMED
FEB 15 1993

09S21E

38 38 38
SW SW SW

MICROFILMED

FEB 15 1993



NE Corner, Section 9

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FEB 15 1993

Water Right Number - R36-13490

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
A & B IRRIGATION DISTRICT

1 - POBOX 675

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3152

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/12/1957 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09S 21E 9 NE NE NE (53) JEROME

+ - - - - 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 Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 21E 9 NE NE 43 DOMESTIC (53) JEROME

Total Acres:

+ - - Diversion Means - 10" X 360' WELL, 1.5 HP PUMP.

+ - - Non-Irrigation Use - DOMESTIC 1 HOUSE

+ - - Other Rights for Same Use - NONE.

+ - - - - Remarks - - - - - +
PROPERTY IS ALSO KNOWN AS TRACT C.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.MICROFILMED
FEB 15 1999

Civil Case Number	-	39576
Old Case Number	-	
Old Judicial District	-	
Temporary Right	-	P
Water District	-	
Federal/State Indicator	-	S
Presumption Flag	-	
Notice of Error Flag	-	C

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FEB 15 1993

AUG-24-1992

NOTICE OF ERROR FORM

✓

RECEIVED

SEP 4 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number:

36-13490

2. Name:

A&B Irrigation District

Address:

P.O. Box 675

Rupert, ID 83350

Weekday Telephone Number:

208 436-3152

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FEB 15 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

Point of Diversion and Place of Use:

4. Describe the changes you wish to have made in the proposed recommendation:

Point of Diversion: T09S R21E S09 NENENE

Place of Use: Domestic T09S R21E S09

Change section from 04 to 09

5. Describe why you disagree with the proposed recommendation:

Error in original filing. Well permit and Jerome County Assessor state location in Section 9

6. Date:

9-3-92

SIGNATURE


Virgil D. Temple, Manager

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/12/90 12:58:32
PAGE 2

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

```
+-----+-----COMMENTS-----+
```

NO COMMENTS FOUND

+ - - AUDIT FIELDS - 10/20/89 WORSTELL 12/20/89 GW-UPC

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

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 10/13/1989
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

```

FIELD INSPECTION MADE      - 00/00/0000
FIELD INSPECTION FLAG      -
VERIFIED DATE              - 00/00/0000
LAST AMENDED DATE         - 00/00/0000
RECEIPT NUMBER            - S010048
PCU OWNERSHIP FLAG        - N
NAME CONNECTOR            -

```

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

No parcel # Aug. 1954

DATA ENTRY
ENTERED 4/17/91 SW
CHECKED 2/27/92 AG

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

VERIFIED
Feb - 1991

CERTIFIED
MAR 19 1991
WATER EXAMINER

PROOF
DEC 26 1990

R PROOF

CVR

MAPS

PHOTOS

MISC

MOBILE
OCT 20 1964

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. 36-13490 -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)

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OCT 20 1994

2. Person who filed objection:

Name: US BUREAU OF RECLAMATION
Address: DEPT OF INTERIOR
1150 N CURTIS
BOISE ID 83706-1234

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

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 1 and 11 and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR is informed and therefore believes that the lands upon which water is diverted and used pursuant to this right are owned by the United States, and that the claimant uses these lands with the permission of the U.S. The United States did not file a notice of claim for the uses made pursuant to this right; and federal ownership of these lands or agreements with the federal government as to use of these lands are not necessary to define the water right. IDWR denies the objection and any allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ 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. A36-13490

2

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

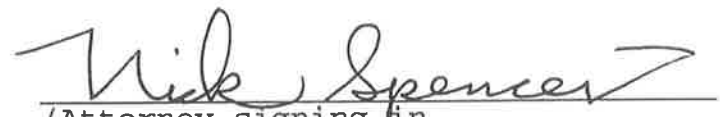
County of ADA

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 23rd 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 24th 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: ROGER D LING
Address: PO BOX 396
RUPERT ID 83350

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: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 W FORT ST BOX 33
BOISE ID 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
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Date Received _____

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Department of Water Resources
Southern Region Office

Filing Fee \$25

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Mailing Address P.O. Box 675, Rupert, Idaho Zip 83350

2. Date of Priority (Only one per claim) 7-12-57 Month/Day/Year

3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____

4. Location of point of diversion is: Township _____ 9 S. Range _____ 21 E.
Section 4, SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,
County of Jerome

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. 1 1/2 H.P. Berkley pump, 10" casing 66 ft, pump setting 333 ft.
static water level 306 ft., depth of well 360 ft.

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For Domestic purposes from 1-1 ^{Month/Day} to 12-31 ^{Month/Day} 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 Stockwater: Type and Number of livestock) Domestic - one household

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FEB 15 1993

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OCT 20 1994

10. Place of use is: Township: S. Range 21 E.

Section 4 , SE 1/4 of SE 1/4, Govt. Lot B.M.,

County of Jerome 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? Jerome

12. Do you own the property listed above as place of use? Yes No X * owned by Gov. under
If your answer is No, describe in Remarks below the authority you have to claim this water right. jurisdiction of A&B

13. Describe any other water rights used at the same place and for the same purposes as described above.
none

14. Remarks:

property owned by U.S. Bureau of REclamation, operated by A&B

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 0

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

Signature of Claimant (s) Date
 Date

For Organizations: I do solemnly swear or affirm that I am Secretary-Manager

of A&B Irrigation District Organization Title that I have signed the foregoing
document in the space below as Secretary-Manager Title of A&B Irrigation District Organization

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

Signature of Authorized Agent *Angie D. Temple* Date 10-3-89

Title and Organization A&B Irrigation District

State of Idaho/or)
County of ~~Jerome~~ MINIDOKA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of October 1989

SEAL

Notary Public *Roger D. Dwyer*

Residing at *Payette, FEB 15 1993*

My Commission Expires 10/30/95

Last Name Ident No.

Copies: White-State, Yellow-Claimant

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OCT 20 1994

RECEIVED

APR 29 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

Case No. 36-13490

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

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

OBJECTION

Petitioner,

vs.

36-13490 -0001/

93-04-0439

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

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended 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 black 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.

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.

OBJECTION - 1

(Over)

Case No. 36-13490

MICROFILMED

OCT 20 1994

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 objection:

Name: United States of America
Bureau of Reclamation
U.S. Department of Interior
Address: 1150 North Curtis
Boise, Idaho 83706-1234

Briefly describe your interest in this water right:

The point of diversion and place of use claimed in this water right lies on land under the jurisdiction of the United States of America, Bureau of Reclamation.

2. Owner of the water right:

Name: A&B Irrigation District
Address: P. O. Box 675
Rupert, ID 83350

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, Idaho 83724
Attorney Phone No.: 202-272-4134
202-272-8351

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

OBJECTION - 2

Case No. 36-13490

RECEIVED
JAN 10 1989

768 5 0 1839
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 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.

OBJECTION - 3

(Over)

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10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.
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.

Box 1 and 11 - While claimant has permission to use this parcel based on contract No. 14-06-100-2368, the United States is the owner of the land where the point of diversion and place of use are located. As a result, this water right should be decreed to the United States, Bureau of Reclamation.

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.

This water right should be decreed in the name of the United States, Bureau of Reclamation.

The Director's Report should reflect in the remarks claimant has authority to use this parcel based on contract 14-06-100-2368 with the United States of America, Bureau of Reclamation.

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

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

Recommended water right claim No. 36-13490 (1 page)

VERIFICATION (Must be Completed)

State of Idaho

County of Ada

Phillip E. Graf, 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.

Phillip E. Graf
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 29th day April,
1993.

Gary E. Carlen
Notary Public for Idaho
Residing at: Boise
My Commission expires: 5/5/93

OBJECTION - 5

(Over)

Case No. 36-13490

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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 27 day of April, 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: A&B Irrigation District

Owner's address: P. O. Box 675

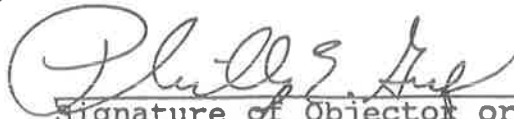
Rupert, ID 83350

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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-2-1992
PAGE: A-1641

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-02336	CONTINUED					
	IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.					
36-13490	A & B IRRIGATION DISTRICT POBOX 675 RUPERT ID 83350	07/12/1957	DOMESTIC	01-01 12-31	.04	CFS BENEFICIAL USE
	NON-IRRIGATION-USES: DOMESTIC 1 HOUSE POINT OF DIVERSION: T09S R21E S09 PLACE OF USE: DOMESTIC		NENENE			
	T09S R21E S09 REMARKS: PROPERTY IS ALSO KNOWN AS TRACT C.		NENE			
36-12034	GERALD R DRAPER JR RT 1 BOX 1245 PAUL ID 83347	07/15/1957	DOMESTIC	01-01 12-31	.04	CFS BENEFICIAL USE
			STOCKWATER	01-01 12-31	.02	CFS
	NON-IRRIGATION-USES: DOMESTIC, 1 HOUSE; STOCKWATER, 30 PIGS POINT OF DIVERSION: T08S R23E S20 PLACE OF USE: DOMESTIC		SESENE			
	T08S R23E S20 PLACE OF USE: STOCKWATER		SENE			
	T08S R23E S20 REMARKS: PARCEL NO. RP 08S23E2000B2.		SENE			

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