

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 A37-11291Date Received 8/31/88Receipt Number 90002429

RECEIVED

SEP 14 1988

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) James & Susan Martin Phone (208) 837-6430
Mailing Address P.O. Box 356 Hagerman, Idaho Zip 83332
- Date of Priority (Only one (1) per claim) 6-10-1970
- Source of water supply (a) Well GROUNDWATER
which is tributary to (b) _____
- Location of point of diversion is: Township 7 South Range 13 East
Section 11, SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,
County of Gooding
Additional points of diversion if any: N/A
- 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. Depth 220' 6" casing to 40'
1.5 H.P. Sub. pump
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For Domestic purposes from 1-1 to 12-1 amount 0.04
For Stock water purposes from 1-1 to 12-1 amount 0.02
- Total quantity claimed 0.06 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) One household 4 head of cattle

[illegible]

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐
If applicable provide IDWR Water Right Number
Court Case Number Decree Date
Plaintiff vs Defendant

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

Signature of Claimant (s) * Jami Martin Date 8-30-88
* Susan Morpin Date 8-30-88

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

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this

SEAL

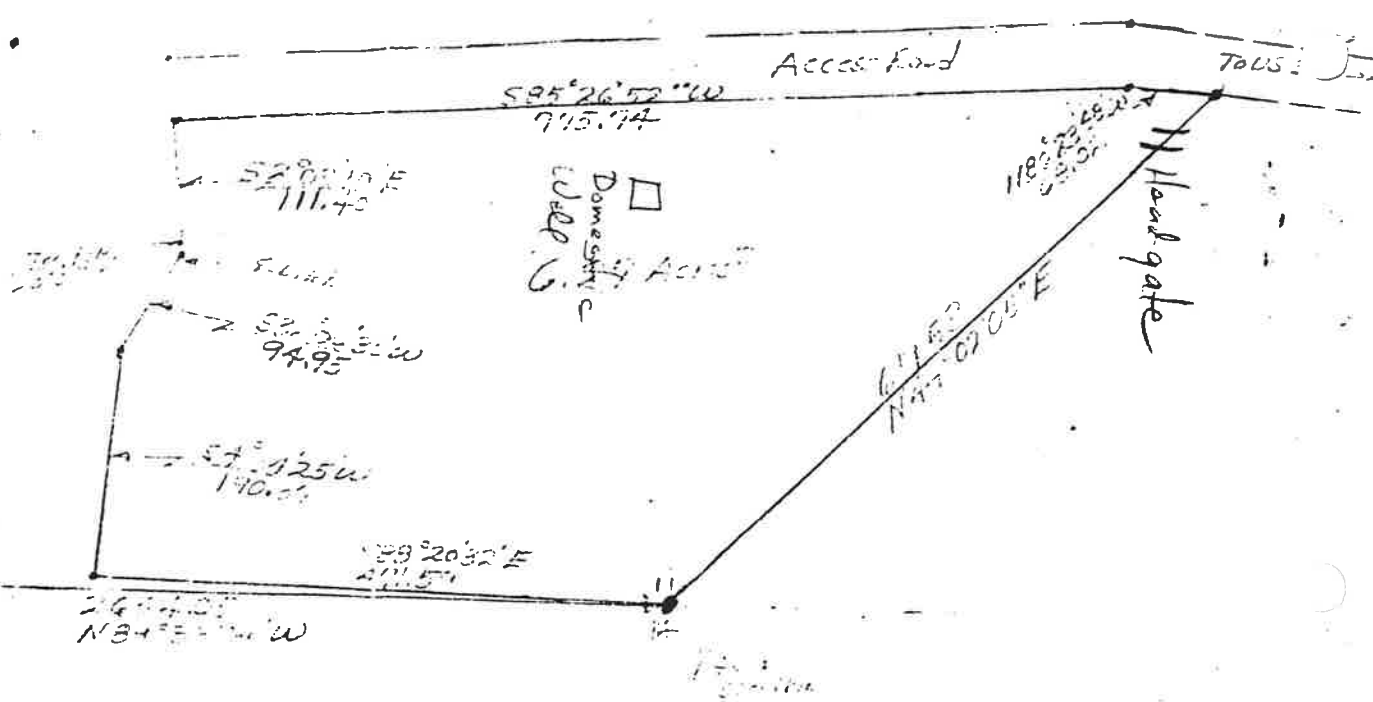
Notary Public Donald R. [Signature]
Residing at Keena [Signature]

Residing at Kuna, Idaho

My Commission Expires May 7-94
A37-11291 Copies White-Side Yellow-Back

Last Name Martin Ident No. _____

POOR ORIGINAL



10 11
15 14

Note: Steel Pin set at Pipe Corner

RECORDED
OCT 20 1994
MICROFILMED
FEB 1 1995

SCALE:		APPROVED BY:		DRAWN BY:	
DATE:				REVISED:	
PARISE-SW & PART SW-SE Sec 11 T.75 R.13 E. BM					
DRAWING NUMBER:					

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: A36-15091
Date Received: 8/31/1988
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES MARTIN 208-837-6430
Address: P.O. BOX 356
HAGERMAN, ID 83332

AND
Name: SUSAN MARTIN 208-837-6430
Address: P.O. BOX 356
HAGERMAN, ID 83332

2. Date of Priority: JUN 10, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	13E	11	SE	SE	SW		GOODING

5. Description of diverting works:
WELL - 220' DEEP, 6" CASING TO 40', 1.5 HP SUBM PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSEHOLD AND 4 HEAD OF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		DOMEST	
			SE	SW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
13 SHARES BUCKEYE DITCH

14. Remarks:
THIS CLAIM REPLACES CLAIM A37-11291 ORIGINALLY FILED IN THE WRONG BASIN.

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, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

03-JULY-1990

James and Susan Martin
P.O. Box 356
Hagerman, Idaho 83332

RE: SRBA Claim A37-11291 number change to A36-15091
SRBA Claim A37-11292 number change to A36-15092

Dear Claimants:

In reviewing the Department's Adjudication Records it has been determined that your claims were originally filed with an incorrect basin prefix. To correct the oversight it was necessary to renumber your claim A37-11291 to A36-15091 and claim A37-11292 to A36-15092. Please refer to these new numbers in all future correspondence. Please find enclosed copies of the computer records A36-15091 and A36-15092. If you have any questions please feel free to contact our office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enc:

MICROFILMED
FEB 21 1993

9

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: A37-11291
Date Received: 8/31/1988
Receipt No: C002429
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES MARTIN 208-837-6430
Address: P.O. BOX 356
HAGERMAN, ID 83332

AND
Name: SUSAN MARTIN 208-837-6430
Address: P.O. BOX 356
HAGERMAN, ID 83332

2. Date of Priority: JUN 10, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	13E	11	SE	SE	SW		GOODING

5. Description of diverting works:
WELL - 220' DEEP, 6" CASING TO 40', 1.5 HP SUBM PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSEHOLD AND 4 HEAD OF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	13E	11	SE	SW		DOMEST	
			SE	SW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
13 SHARES BUCKEYE DITCH

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ 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 _____

CLAIMANT'S NAME JAMES A1 SUSAN MARTIN CLA. 1 DENT. NO. A37-11291
DATE RECEIVED 8/31/88 CK # 2637 AMOUNT \$ 25

YES

NO

1. Is the name and address complete with zip code? /
2. Is priority date entered? /

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ☒
- (b) Is a tributary to entered? (if required) ☒

4. Is the legal description of the p.d. complete? ✓
5. Is there a description of the diverting works? ✓

6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.

Is the period of use included?

Is a quantity claimed for each use? /

7. Is a total quantity claimed entered?

8. Is the consumptive use correct?

If required is a consumptive use entered?

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4.

10. Is (are) the place(s) of use entered?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" checked? ☒ none

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

15. Is the basis of the claim checked?

16. Is the claim signed by the claimant?
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary? /

Is the fee enclosed correct?

If this claim is based on an existing water right, has the identification number been entered? N/A

Should this claim be receipted and data entered? *mic*

Claim checked by:

Comments:

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAY 04 1998

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right Number(s) 36-15091 and 36-00082C Part of 7.0 inches per second from Billinsley Creek via the Buckeye Ditch
Adjudication Claim Number(s) AJ5809NP and AJ5809NP

The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.) OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant(s) Jamie Martin and Susan Martin
18011 US Highway 30, Hagerman, ID 83332

New Owner/Claimant(s) John A. Umek and Page Umek

New Mailing Address P. O. Box 117, Bellevue, ID 83313
Name connector (Check one): [] AND, [] OR, [] AND/OR

City, State and ZIP Code _____

New Telephone Number () _____

Date you acquired the property 4-27-98

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 3.5 Number and type of stock _____

Diversion rate in CFS _____ Number of homes 1 Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner/Claimant(s)

John A. Umek
Page Umek

Date 4-24-98

Date 4-24-98

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

#G-26643

For Value Received

JAMIE MARTIN, an unmarried man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

J.A. UMEK
JOHN A. UMEK and PAGE UMEK, husband and wife
Address: P. O. Box 117, Bellevue, ID 83313

Hereinafter called the Grantee, the following described premises situated in County, Idaho, to-wit:

See attached Schedule A

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to part of the following water rights, No. 36-15091 and 36-00082C, together with 7.0 inches per second of water from Billinsley Creek, via the Buckeye Ditch.

Subject to an existing irrigation delivery as created on Quitclaim Deed dated April 21, 1998, between Susan Martin Laughlin, who acquired title as Susan L. Martin and Roger Laughlin, wife and husband and Jamie Martin, an unmarried man, recorded on April 27, 1998 as Instrument Number 175224 Gooding County Records

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

See attached exhibit "A"

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 23, 1998

[Handwritten signatures]

SCHEDULE A

**TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 11: Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the Southeast corner for Section 11 marked with a steel pin and aluminum survey cap;

Thence North 89°28'48" West 2660.64 feet along the Southerly boundary of Section 11 to the South quarter corner for Section 11 and THE TRUE POINT OF BEGINNING;

Thence North 44°01'45" East 619.88 feet (recorded North 44°02'05" East 619.53) along the Westerly boundary for Block A-70 of the Hagerman Townsite Plat;

Thence North 80°22'24" West 74.65 feet along the Southerly boundary of a 50.00 feet in width Access Road to the Westerly bank of the Buckeye Irrigation Lateral;

Thence North 12°43'24" East 25.22 feet to the center of a non-exclusive 50.00 feet in width Access Road;

Thence South 85°26'52" West 418.18 feet along the center of said Access Road to the center of Bell Irrigation Lateral;

Thence Southerly along the center of the Bell Irrigation Lateral the following courses:

South 47°03'36" West 92.00 feet;

South 2°16'58" East 103.83 feet;

South 5°12'18" West 122.75 feet;

South 29°20'00" West 129.65 feet;

South 29°20'00" West 47.78 feet;

Thence departing said lateral South 88°20'32" East 215.43 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.00 feet in width Access Easement along the Northerly boundary.

TOGETHER WITH a non-exclusive 50.00 feet in width Access Easement described as follows:

Beginning at the Southeast corner for Section 11;

Thence North 89°28'48" West 1374.19 feet along the Southerly boundary of Section 11 to the Westerly boundary of U. S. Highway 30;

Thence North 0°10'30" West 338.13 feet along said Westerly right of way to the center of said 50.00 feet in width non-exclusive Access Road;

Thence North 80°23'48" West 935.72 feet along the center of said Access Road to the Northeast corner of the aforesaid parcel of land.

EXHIBIT "A"

Taxes for 1998 and subsequent years, which are a lien, but not yet due and payable.

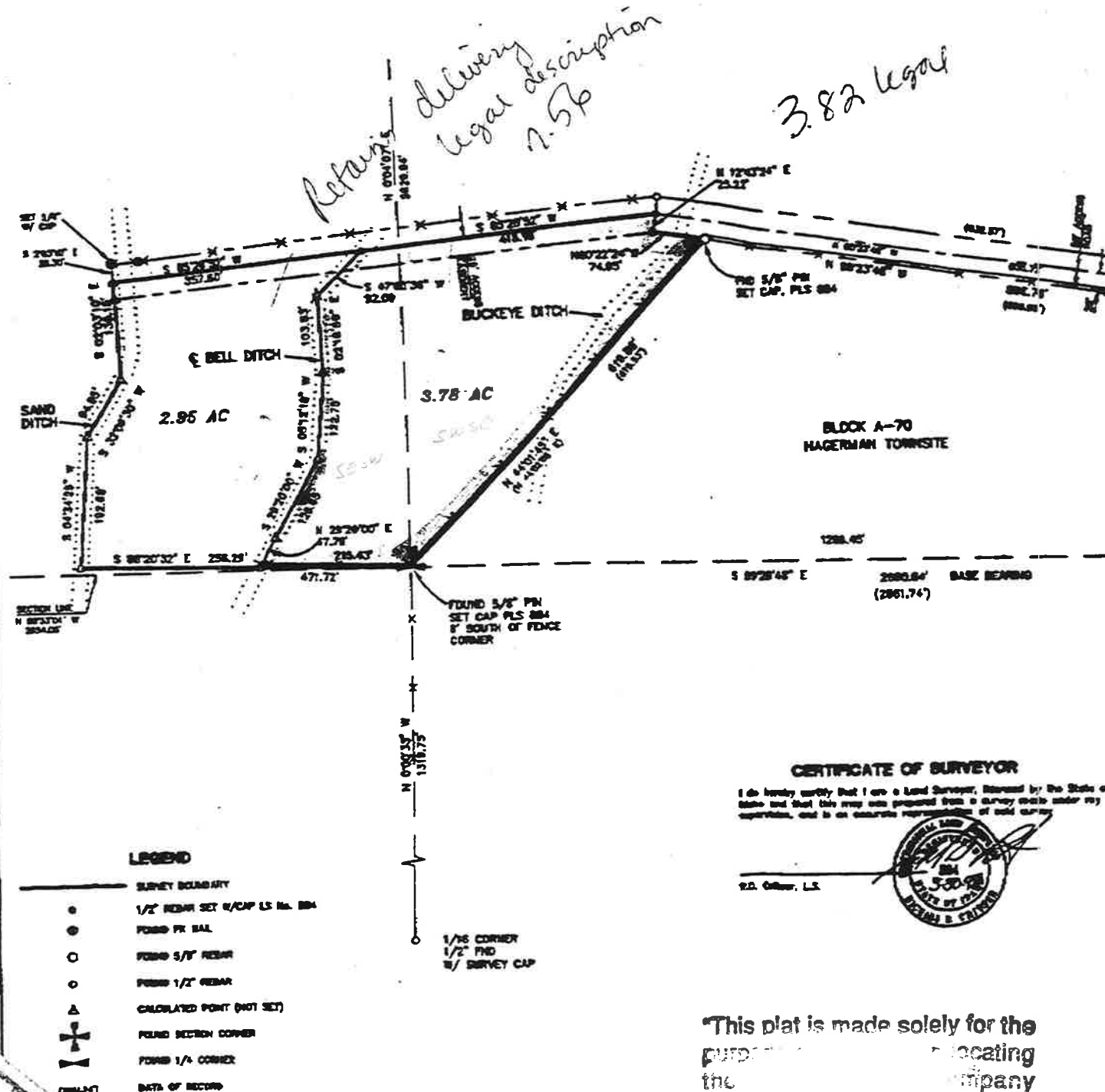
Assessments levied or to be levied by the Buckeye Ditch Water Association.

Decree in the case of F. M. Bell, etal, Plaintiff, vs. W. G. Holcomb, etal, Defendants, dated April 9, 1915, recorded April 9, 1915 in Book 1 Judg. Page 170, Gooding County records, pertaining to the flowage of the Colthorp-Leighton ditch.

Relinquishment of access and easement contained in Second Judgment and Decree of Condemnation in the case of The State of Idaho, ex rel, Wallace C. Burns, Ernest F. Gaffney and R. Doyle Symms, Idaho Board of Highway Directors, Plaintiff, vs. Bergie Crisp and Dorothy Crisp, his wife; etal, dated March 20, 1964, recorded March 20, 1964 as Instrument Number 10903, Gooding County records.

Subject to restrictions as contained in Warranty Deed given by Edward C. Shokal and Ruth C. Shokal, husband and wife, to Jamie Martin and Susan L. Martin, husband and wife, dated November 27, 1978, recorded February 4, 1983 as Instrument Number 99157, Gooding County records.

Subject to reservation unto the Grantees the unrestricted use of a road as a right of way over Parcel No. 2 and to extend their rights of right of way to other people; and also reserve the right to improve the road and eventually have it converted to a dedicated county street. Buyer also has the right to improve the road and dedicate it to the county if the buyer wants to accelerate the conversion to suit his own purposes, as disclosed in Quitclaim Deed given by Edward C. Shokal and Ruth C. Shokal, husband and wife, to Jamie Martin and Susan L. Martin, husband and wife, dated November 27, 1978, recorded February 4, 1983 as Instrument Number 99158, Gooding County records.



This plat is made solely for the purpose of locating the company 2001 for an actual

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

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: BECKY @

LAND TITLE & ESCROW

934-8477

TOTAL PAGES SENT: 7

DOCUMENT DESCRIPTION: PROFILE REPORTS OF SRBA CLAIMS
36-00082C, 36-07271, 36-15091, 36-00080C, AND
PROOF REPORT OF SRBA CLAIM 36-00081C

FROM: **IDAHO DEPARTMENT OF WATER RESOURCES**
1341 Fillmore Street, Suite 200
Twin Falls ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

SENDER: Corey Skinner

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: NONE
Please remit to the above address.

COMMENTS: NOTE CLAIM 36-00081C HAS BEEN
RECOMMENDED FOR DISALLOWAL AND AN
OBJECTION TO THIS RECOMMENDATION HAS BEEN
MADE.

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. 36-15091 -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)

MICROFILMED
OCT 20 1994

2. Person who filed objection:

Name: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID 83332

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

3. |X| Quantity: I respond to the objection concerning:
- 3a. |X| The total quantity of water used in cubic feet per second.
- 3c. |X| The total quantity of water reserved for each and every purpose, including all present and future uses.
7. |X| Purposes of Use: I respond to the objection concerning the purpose(s) of use.
8. |X| Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
10. |X| Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. |X| Remarks: I respond to the objection concerning the "remarks" listed with the water right.

14. ☒ Other: I respond to the objection concerning:

ATTACHMENT

REASONS SUPPORTING EACH BOX CHECKED

In response to the Statement of Interest Portion of the Objection, IDWR responds as follows: IDWR recommended this claim based on beneficial use with a priority of June 1, 1970, the same as claimed. The claimant here asserts that the right is based on a decree with a priority of January 2, 1891, but the objection does not object to either the basis of the claim or the priority date recommended. These assertions by the claimant are made in error.

In response to Statement of the Objection items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: (1) it recommended the amount of water it determined was being beneficially used; (2) the claimant is not entitled to any amount greater than that which is beneficially used (Idaho Code Secs. 42-104 and 42-1402). In further response to this objection item, IDWR responds that the claim to this right was based on beneficial use and not a decree as stated in the objection, and that it recommended the same quantity as was claimed.

In response to Statement of the Objection item 3c., and all allegations of the objection regarding that item, IDWR responds as follows: Since this water right is not a federal reserved water right, this objection item is inapplicable and the claimant's assertion of it is in error. IDWR further responds that under Idaho law water cannot be reserved for future use, but must be appropriated and put to beneficial use before the user can acquire a water right.

In response to Statement of the Objection item 7, and all allegations of the objection regarding that item, IDWR responds that it recommended the same purpose or purposes of use that were identified on the notice of claim and that were found when the claim was investigated. By identifying in the objection an additional use or uses that the claimant did not list on the notice of claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of

(Over)

MICROFILMED
OCT 20 1994

the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court. However, by amending the claim to add irrigation as a purpose the claimant will be claiming a right in violation of Idaho Code Sec. 42-229, which requires any appropriation of groundwater for irrigation occurring after March 25, 1963, to be done only in accordance with the mandatory permitting and licensure procedures of IDWR. In further response to this objection item, IDWR responds that under Idaho law water cannot be reserved for future use, but must be appropriated and put to beneficial use before the user can acquire a water right.

In response to Statement of the Objection item 8, and all allegations regarding this item, IDWR responds that the claim for this right was based on beneficial use and not a decree as stated in the objection, and IDWR recommended a longer period of use than was set forth on the claim. In further response to this objection item, IDWR responds that the period of use recommended, from 01-01 to 12-31, is the longest period of use possible.

In response to Statement of the Objection item 10, and all allegations regarding this item, IDWR responds that the claim for this right was based on beneficial use and not a decree as stated in the objection, and all small domestic and stockwater rights as described in General Provisions 10.a and 11.a of the director's report were recommended with a "de minimus" consumptive use as described in General Provision 9. of the director's report.

In response to Statement of the Objection item 11, and all allegations of the objection regarding that item, IDWR responds that it has authority pursuant to Idaho Code Sec. 42-1411(2)(j) to include in its recommendations of water rights acquired under state law and recommended in the director's report "such other matters as are necessary to define the right." The remarks apparently referred to in the objection are not contained in the recommendation of this right. The only remark that is in the recommendation of this right, the county assigned parcel number, is helpful in describing this water right.

In response to Statement of the Objection item 14, and all allegations of the objection regarding that item, IDWR responds that an attachment for item 14 was not filed with the objection.

In response to the sentence listed in Changes to the Director's Report, whereby the claimant attempts to "reserve the right to claim all purposes of use and quantities of use as shown by the evidence at trial," IDWR responds as follows: Insofar as this purported reservation of rights may constitute an attempt to reserve the right to amend at trial the claimant's notice of

claim, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim just as a party must obtain leave of the court to file a late claim after the director's report is filed.

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. A36-15091	3

(Over)

MICROFILMED

OCT 20 1990

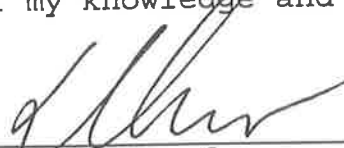
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

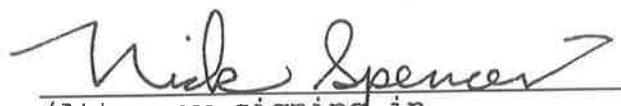
David B. Shaw, being first duly sworn, upon oath, deposes and says:

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 31st 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 31st 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:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: JAMIE MARTIN
Address: PO BOX 356
HAGERMAN ID 83332

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

MICROFILMED
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: Remumb. A36-15091
39576

Ident. Number A37-11291

Date Received 8/31/88

Receipt Number 9 C002429

RECEIVED

SEP 14 1988

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

RECEIVED

AUG 31 1988

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) James & Susan Martin Phone (208) 837-6430
Mailing Address P.O. Box 356 Hagerman, Idaho Zip 83332
- Date of Priority (Only one (1) per claim) 6-10-1970
- Source of water supply (a) Well GROUNDWATER
which is tributary to (b) _____
- Location of point of diversion is: Township 7 South Range 13 East
Section 11 , SE 1/4 of SE 1/4 of SW 1/4 , Govt. Lot _____ , B.M.,
County of Gooding
Additional points of diversion if any: N/A
- 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. Depth 220' 6" casing to 40'
1.5 H.P. Sub. pump
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive)
For Domestic purposes from 1-1 to 12-1 amount 0.04 (cfs)
For Stock water purposes from 1-1 to 12-1 amount 0.02 (cfs)
- Total quantity claimed 0.06 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) One household 4 head of cattle

MICROFILMED
FEB 2 1989

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
7S	13E	11												D				

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

12. Do you own the property listed above as place of use? Yes ☒ 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.
13 shares Buckeye Ditch or None ()

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) *Jamie Martin* Date 8-30-88
Susan Morfin Date 8-30-88

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

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this

SEAL

Notary Public

Residing at

My Commission Expires

Last Name Martin Ident No. A37-11291

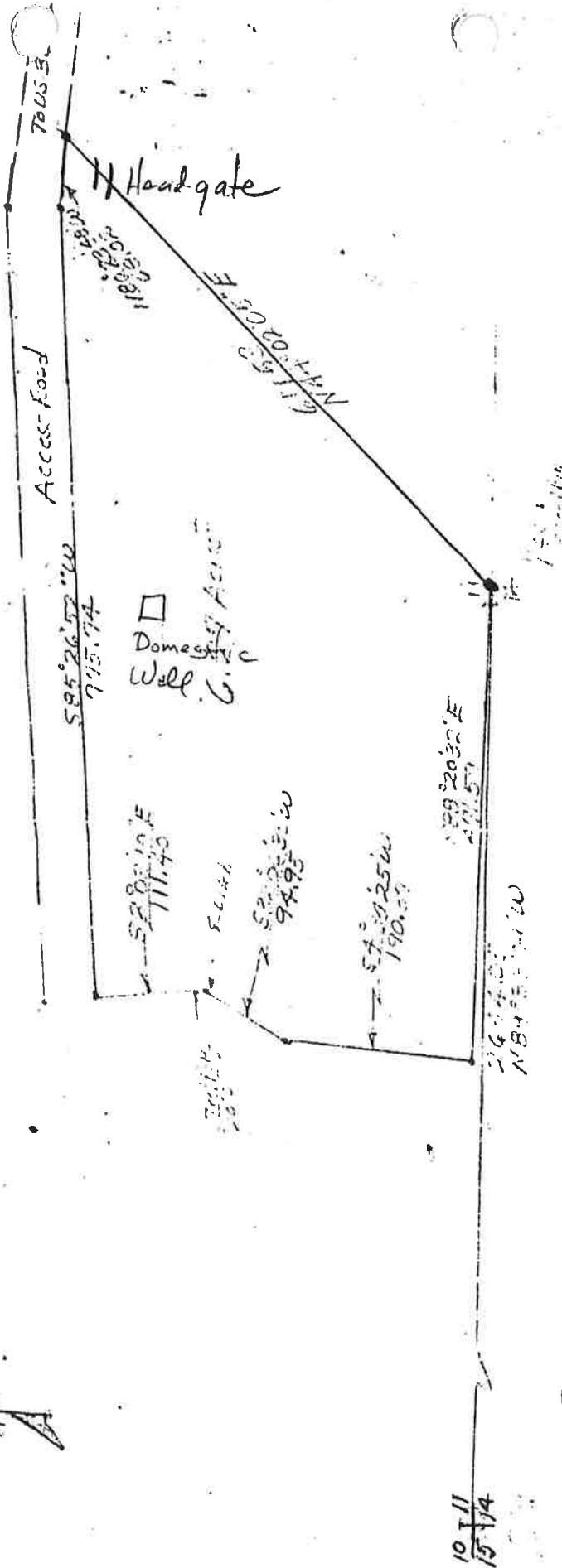
Copies White-State, Yellow-Claimant

30th day of

19 88

MICROFILMED
1994
1993

POOR ORIGINAL



Notes: Steel Pins set at 10' intervals

MICROFILMED
UC 1994
FEB 21 1993

SCALE:	APPROVED BY:	DATE:	DRAWN BY:	REVISION:
P. 101 SE SW 1/4 R. 13 S. E. 1/4 Sec. 11 T. 7 S. R. 13 E. B. M.				
DRAWING NUMBER:				

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

RECEIVED
MAY 25 1993
Department of Water Resources
Adjudication Bureau

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

May 14, 1993

Jamie Martin
P.O. Box 356
Hagerman, ID 83332

RE: Objections to Water Rights 36-00080C, 36-07271 and 36-15091

Dear Mr. Martin:

The court will accept your objections to these water rights without requiring a special hearing on the matter. The court did inquire of the Idaho Department of Water Resources if they had any objection to the court not requiring you to go through a hearing. Nick Spencer advised that they did not. However, there are a few problems with the forms that you must immediately correct.

36-00080C

1. Page 2, Section I, Paragraph 1, Person Objection. You have listed both Jamie Martin and Thomas E. King. Only one person may file an objection per form. If your business is filing the objection, the form must be filled out in the name of the business.

2. Page 5, Verification. The signature must match the name of the person filing the objection. If the objection is being filed by a business, the verification must be signed by someone with representative authority

36-07271

In addition to the errors mentioned under 36-00080C:

1. Page 2, Section I, Paragraph 2, Owner of the Water Right. The Owner(s) must be listed as they appear in the director's report, even though you think the listing is incorrect. You have listed Thomas E. King and Jamie Martin; the director's report also lists Edward C. and Ruth C. Shokal as owners.

2. Page 6, Certificate of Mailing. Each of the four owners must be served a copy of this objection.

RECEIVED

MAY 25 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. 36-15091
(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.

The United States; the State
of Idaho; and all Claimants to
the 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 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.

MICROFILMED

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.

(Over)

OBJECTION - 1

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: JAMIE MARTIN

Address: P.O. Box 356

Hagerman, Idaho 83332

Briefly describe your interest in this water right:

① This is my water right decreed
in 1932 pursuant to New
International Mortgage Bank v.
Idaho Power Company

② My water right dates back to 1-2-1891

③ My water rights are for growing crops for protect
and to feed my family

2. Owner of the water right:

Name: JAMIE + SUSAN MARTIN

Address: P.O. Box 356

Hagerman, Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name: NA

Attorney Address: _____

Attorney Phone No.: _____

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

MICROFILMED
JUL 28 1994

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.

MICROFILMED

661 20 1954

(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: See attached
- _____
- _____
- _____
- _____

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.

See page 7

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.

Remarks: STRIKE all but source and point of delivery; maximum quantity: as decreed; consumptive use; to reflect maximum quantity; period of use 01/01 to 12/31; purpose of use: irrigation, domestic, stock water

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

MICROFILMED
OCT 20 1994

☐ 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. _____

VERIFICATION (Must be Completed)

State of Idaho

County of Gooding

Jamies MARTIN, 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.

Jamie Martin
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 24th day of May,
1999.

Connie L. Herbert
Notary Public for Idaho
Residing at: HAGERMAN
My Commission expires: 2-3-98

MICROFILMED
OCT 20 1994

(Over)

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 29 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:

Jamie MARTIN

Owner's address:

P.O. Box 356

Hagerman, Idaho 83332

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

Jamie Martin
Signature of Objector or attorney
mailing on Objector's behalf

OCT 20 1994

REASONS SUPPORTING EACH BOX CHECKED, page 4

Box 3, 3a and 10 - IDWR recommends an amount less than decreed and/or beneficially used. A reduction in water right would constitute a taking.

Box 7 - Beneficially used for purposes set forth in notice of claim. Additionally, have future domestic use for already platted subdivision.

Box 8 - IDWR recommends a period of use less than decreed and/or beneficially used. A reduction in water right would constitute a taking.

Box 11 - This is beyond the statutory authority vested in the Director.

CHANGES TO DIRECTOR'S REPORT, page 4

Objectors reserve the right to claim all purposes of use and quantities of use as shown by the evidence at trial.

MICROFILMED
OCT 20 1994

RECEIVED

APR 30 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. 36-15091
(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.

The United States; the State
of Idaho; and all Claimants to
the 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 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.

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.

(Over)

OBJECTION - 1

By filing this 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: JAMIE MARTIN

Address: P.O. Box 356

Hagerman, Idaho 83332

Briefly describe your interest in this water right:

① This is my water right decreed
in 1932 pursuant to New
International Mortgage Bank v.
Idaho Power Company

② My water right dates back to 1-2-1891

③ My water rights are for growing crops for profit
and to feed my family

2. Owner of the water right:

Name: JAMIE + SUSAN MARTIN

Address: P.O. Box 356

Hagerman, Idaho 83332

3. If this objection is filed by an attorney:

Attorney Name: NA

Attorney Address: _____

Attorney Phone No.: _____

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

MICROFILMED
OCT 20 1994

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.

MICROFILMED
OCT 20 1994

(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: See attached
- _____
- _____
- _____
- _____

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.

See page 7

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.

Remarks: STRIKE all but source and point of delivery; maximum quantity: as decreed; consumptive use; to reflect maximum quantity; period of use 01/01 to 12/31; purpose of use: irrigation, domestic, stock water.

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

MICROFILMED
OCT 20 1994

☐ 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. _____

VERIFICATION (Must be Completed)

State of Idaho

County of _____

Jamies MARTIN, 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.

Jamie Martin
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 29 day of April

INDIVIDUAL

STATE OF IDAHO)
COUNTY OF Gooding) ss.

On this 29th day of April, in the year 1993, before me a Notary Public in and for said State, personally appeared Jamie Martin known or identified to me to be the person _____ whose name _____ is subscribed to the within instrument and acknowledged to me that _____ he _____ executed the same.

WITNESS my hand and official seal.

Connie F. Herbert
Notary Public for Idaho
Residing at Shagerman
My commission expires: 2-3-98

RECORDED
OCT 20 1994

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 29 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:

Jamie MARTIN

Owner's address:

P.O. Box 356

Hagerman, Idaho 83332

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

Jamie Martin **MICROFILMED**
Signature of Objector or attorney
mailing on Objector's behalf

REASONS SUPPORTING EACH BOX CHECKED, page 4

Box 3, 3a and 10 - IDWR recommends an amount less than decreed and/or beneficially used. A reduction in water right would constitute a taking.

Box 7 - Beneficially used for purposes set forth in notice of claim. Additionally, have future domestic use for already platted subdivision.

Box 8 - IDWR recommends a period of use less than decreed and/or beneficially used. A reduction in water right would constitute a taking.

Box 11 - This is beyond the statutory authority vested in the Director.

CHANGES TO DIRECTOR'S REPORT, page 4

Objectors reserve the right to claim all purposes of use and quantities of use as shown by the evidence at trial.

MICROFILMED
OCT 20 1994

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

Water right number - R36-15091

Prefix Translation: RESEARCH

+ - - - - 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

+ - - - - Comments - - - - - +

Date: 01/09/1992 User Id: SMITH Subject: COPIED FROM REMARKS
THIS CLAIM REPLACES CLAIM A37-11291 ORIGINALLY FILED IN THE WRONG BASIN.
Date: 09/25/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/25/92. CHANGED NOE FLAG FROM BLANK TO A.
Date: 10/15/1992 User Id: WORSTELL Subject: NOTICE OF ERROR RECORD - NO CHANGE

+ - - Audit Fields - - +
10/15/92 WORSTELL

+ - - - - 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	- 10/15/1992	Old Judicial District	-
Claim Received Date	- 08/31/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	- B

MICROFILMED
FEB 21 1993

Water Right Number - R36-15091

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
MARTIN

JAMES

1 - PO BOX 356

2 -
3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6430

MARTIN

SUSAN

1 - PO BOX 356

2 -
3 -

City- HAGERMAN

State- ID Zip- 83332

Phone - 208-837-6430

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/10/1970 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

07S 13E 11 SE SE SW (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 13E 11 SE SW 04 STOCKWATER (47) GOODING
07S 13E 11 SE SW 43 DOMESTIC (47) GOODING

Total Acres:

+ - - Diversion Means - WELL - 220' DEEP, 6" CASING TO 40', 1.5 HP SUBM PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOUSE; STOCKWATER, 4 CATTLE

+ - - Other Rights for Same Use - 13 SHARES BUCKEYE DITCH

+ - - - - Remarks - - - - - +
PARCEL NO. RP07S13E118750MICROFILMED
FEB 21 1993

(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:

Purpose of use

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

Change maximum quantity to 0.12 CPS

5. Describe why you disagree with the proposed recommendation:

My pump produces more than you are recommending to use for domestic & vineyard

6. Date: *7-23-92*

SIGNATURE

Jamie Marks

RESPONSE TO NOTICE OF ERROR
IN THE SNAKE RIVER BASIN ADJUDICATION

Water Right No: 36-15091 Contact Date: 10/15/91
IDWR Contact Person: (print and initial) ROBERT WORSTELL R.W.
Claimant Contact Person JAMIE MARTIN
Others Present

IDWR USE ONLY	
Date	Initials
Date Entered	<u>10/15/92 R.W.</u>
Verified	<u>10/15/92 R.W.</u>

Contact By (give date) 10/21/92 Meeting (location):
Phone Call (no.) Letter (attach letter): 10/15/91

I. Issues identified by claimant: PURPOSE OF USE
Increase maximum quantity to 0.12 cfs

II. Reasons provided claimant for original recommendation: This claim is recommended
as you claimed it on Aug. 31, 1988 and signed
the claim. No water was claimed for irrigation -
only for one household and 4 head of cattle

III. Additional information provided by claimant: His pump produces more water

IV. Changes to be made in final recommendation (if any): None

V. Action taken (date): Notice of Error flag changed &
recommendation re-verified

10/15/92

WATER RIGHT NUMBER - A36-15091

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - CLD WATER RIGHT NUMBERS - - - - - +
+ - - - - CLD WATER RIGHT NUMBERS - - - - - +
NO CLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - - + + - - - - DECREE DEFENDANT - - - - + + - DECREE DATE - +
00/00/0000
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - AUDIT FIELDS - 07/04/90 WHITE
+ - - - - 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	- 08/31/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- X777777	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	- AND	PRESUMPTION FLAG	-

RP 07S13E11 8750

DATA ENTRY

ENTERED 1-9-92
CHECKED 3/2/92 NB

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

VERIFIED
FEB - 1991

PROOF
JAN 08 1991

CERTIFIED
FEB 27 1991
WATER EXAMINER