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MAR 14 2022

DEPARTMENT OF
WATER RESOURCES

March 8, 2022

Director of IDWR:

We are responding our
Motion and Certificate of
Mailing since the address
for the U.S. Attorney's Office
was incorrect.

Thank you,
Benjamin & Anne
Lindsay

I HAVE READ AND REVIEWED THE FOLLOWING:

- ☒ The procedures governing the filing and prosecution of this Motion as set forth in the Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012, and the *Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, entered October 17, 2017.
- ☒ The *Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on December 18, 2013.

INSTRUCTIONS REGARDING THE HEARING ON THIS MOTION: A hearing on your Motion will be scheduled by the Court after the filing of the *Affidavit of Publication* as required under paragraph B.1. of the *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012, and the *Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, entered October 17, 2017.

Signed: _____

B. Scott Lindsey
Attorney General

Dated: _____

Jan. 11, 2022
Jan. 11, 2022

CERTIFICATE OF MAILING

I certify that on March 9, 2023, I mailed original and copies of this form, including all attachments, via certified mail and addressed as follows to the following persons:

1. Original to:

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

2. Copies to:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

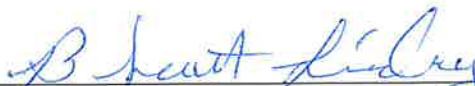
United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

3. Certified Mail Copies to:

U.S. Attorney's Office
1290 W Myrtle St, Ste 500
Boise, ID 83702

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001



Signature of person or attorney mailing the form

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

Claim ID: _____

Date Received: _____

Receipt No: _____

Claim Fee: _____ By: _____

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DEPARTMENT OF
WATER RESOURCES

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

Please type or print clearly

1. Name of claimant(s) Benjamin S. Lindsey and Annette Lindsey Phone (208) 839-9965Mailing address P.O. Box 223 White Bird Idaho Zip 83554
Street or Box City StateEmail address (optional) None2. Date of priority: (Only one per claim) February 10, 2007 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water (X) or Other () (a) _____

which is tributary to (b) _____

4. Location of point of diversion is: Township 28 N, Range 2 E, Section 32 NE,
NE 1/4 of NE 1/4, or Govt. Lot _____, BM, County of Idaho;Parcel no. RP28N02E320025A

Additional points of diversion, if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (wells, pumps, spring boxes, pipelines, 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.

New well - Air Rotary - 6" Casing From 18 Gauge 250 - Steel 45-10-550
Gauge - 160 PVC 15 gal/min 550 feet deep

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For domestic purposes from 01/01 to 12/31 amount 0.04 cfs (X) or AFY ()
Month/Day Month/Day

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 cfs (X) or AFY ()

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)

Domestic - One home

9. Location of place of use is: Township 28 N, Range 2 E, Section 32,

NE 1/4 of NE 1/4, Govt. Lot _____ BM, Parcel no. RP28N02E32C025A

If different than shown in Item 4

for (check one) **Domestic** (X) **Stock** () **Domestic and Stock** ()

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes (X) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

13. Remarks (include an explanation of the priority date selected):

February 10, 2007 was the day we moved into our home to
use our new well.

14. Basis of claim (check one) **Beneficial Use** (X) **Posted Notice** () **License** () **Permit** () **Decree** ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 79-14292

15. **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 (X) 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) B Scott Lindsey Date: Jan 11 2022

Annita Lindsey Date: Jan 11, 2022

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____
Agent's title (Please print)

Name of organization (Please print)

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

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Annita Lindsey Date _____

Address PO Box 227 9434 Arrow Ridge Rd. White Bird, Idaho 83254

Name of claimant(s) _____ Claim ID _____