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JUL 31 2003

Department of Water Resources

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

In Re SRBA

Case No. 39576

A

Subcase 29-7680

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B

NAME AND ADDRESS OF PERSON OBJECTING

Name: David R. Fischel

Address: 2446 N. Mink Creek Road

Pocatello ID 83204

Daytime Phone: 208-234-0126

Name & Address of Attorney, if any:

N/A

C

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: David R. Fischel

Address: 2446 N. Mink Creek Rd.

Pocatello, ID 83204

D I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☒ **Quantity**

Should be: Diversion rate limitations in use of this right in combination with right no. 29-00276 C is too low.

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E **REASONS SUPPORTING OBJECTION(S):** _____

This was discussed with an adjudicator* in Boise who recognized that a mistake was made in the combined diversion rate amount. (*Idaho Department of Water Resources employee)



VERIFICATION (Must be Completed)

State of Idaho)
County of Bannock) ss.

David R. Fischer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

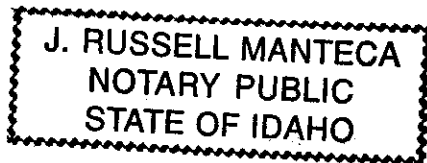
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

x David R. Fischer
(Signature of person filing objection)

N/A
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: July 28, 2003

J. Russell Manteca
Notary Public for Idaho
Residing at: 40 Topsonce Dr.
My Commission Expires: 6/2004



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G

CERTIFICATE OF MAILING

I certify that on July 29, ~~199~~²⁰⁰³, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

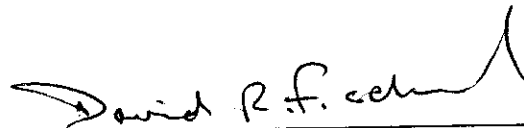
Name: self
Address: _____

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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



Signature of Objector or attorney
mailing on Objector's behalf