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AUG 25 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) A. Subcase 29-4060
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
)
_____)

B. NAME AND ADDRESS OF PERSON OBJECTING:

Name: Portneuf Marsh Valley Canal Co., Ltd.
Address: c/o Ellis Gilbert
2777 E. Hawkins Road
Downey, Idaho 83234
Phone: 208-897-5917

Name and Address of Attorney: Randall C. Budge
Racine, Olson, Nye, Budge & Bailey, Chtd.
P.O. Box 1391
Pocatello, Idaho 83204-1391
Phone: 208-232-6101

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT:

Name: Portneuf Marsh Valley Canal Co., Ltd.
C/o Ellis Gilbert
2777 E. Hawkins Road
Downey, Idaho 83234

D. I object to the following elements as recommended in the Director's Report:

Regarding the paragraph entitled "Other Provisions Necessary for Definition or Administration of this Water Right", to be consistent with the Claimant's Water Right Nos. 29-52, 29-53, and 29-589, historic practices and the Department's delivery records, the following language should be added:

THE STORAGE WATER RIGHT IS TO BE DELIVERED WITHOUT
CONVEYANCE LOSS FROM THE RESERVOIR TO THE POINT OF DIVERSION
LOCATED ON THE PORTNEUF RIVER AT 59S R37E SECTION 22 NW NE SW

(LOT 3) FOR THE PORTNEUF-MARSH VALLEY CANAL COMPANY'S CANAL THROUGH SAID COMPANY'S DRAINAGE CANAL AND THE PORTNEUF RIVER CHANNEL.

E. REASONS SUPPORTING OBJECTION(S):

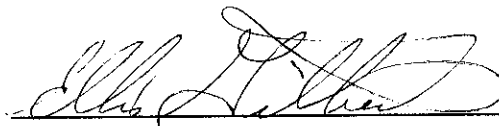
The language requested to be added to the "Other Provisions" is identical to and consistent with the same language in the Department's Recommended Water Rights for Applicant's Water Right Nos. 29-52, 29-53 and 29-589. It is in accordance with historic use and practice as evidenced by the Department's water right delivery records provided by the Watermasters.

F. VERIFICATION

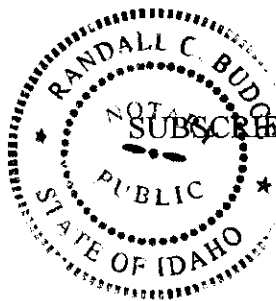
State of Idaho)
 : ss
County of Bannock)

ELLIS GILBERT, as President of Portneuf-Marsh Valley Canal Co., Ltd., duly sworn, upon oath, deposes and says:

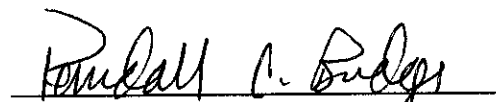
That I am the President of Portneuf-Marsh Valley Canal Co., Ltd., the party filing this objection, as defined by I.C. §§42-1401A(1) and (6) or that I am the attorney for the party objecting and that I have read this objection, know its contents and believe that the statements are true to the best of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



ELLIS GILBERT, PRESIDENT



SUBSCRIBED AND SWORN TO before me this 21st day of August, 2003.



NOTARY PUBLIC FOR IDAHO,
Residing at Pocatello.
My Commission Expires 10/11/2006.

CERTIFICATE OF MAILING

I certify that on August 21, 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to Claimant:

Portneuf-Marsh Valley Canal Co., Ltd.
C/o Ellis Gilbert
2777 East Hawkins Road
Downey, Idaho 83234

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

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

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



RANDALL C. BUDGE
Attorney for Objector