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Department of Water Resources

COPY

**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. 35976

A. Subcase 29-4012A

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Roger N. Ferguson and Sybil Ferguson

Address: P.O. Box 519

Rexburg, ID 83440

Daytime Phone: _____

Name & Address of Attorney, if any:

Kent W. Foster

Holden, Kidwell, Hahn & Crapo

PO Box 50130

Idaho Falls, ID 83405-0130

Phone No.: 208-523-0620

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

Name: Roger N. & Sybil Ferguson

Address: P.O. Box 519

Rexburg, ID 83440

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: 75 cfs
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points 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: _____

10. **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):** While it may be true that the current amount of water issuing from Papoose Springs is less than the amount that was flowing from the springs when the right was claimed, it is still true that the maximum that has been used when available is 75 cfs and claimant thinks that should be the amount of the right in case the flows return.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

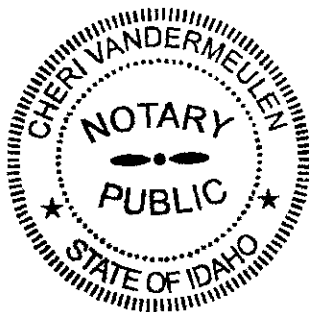
Kent W. Foster, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Signature of person filing objection

Kent W. Foster
Attorney signing in representative capacity

Subscribed and sworn to before me on: Sept. 11, 2003



Cheri Vandermeulen
Notary Public for *Idaho*
Residing at: *Idaho Falls*
My Commission Expires: *2 July 2007*

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, 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 hereby certify that on the 22nd day of September, 2002, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Roger N. & Sybil Ferguson
Address: P.O. Box 519
Rexburg, ID 83440

3. Copies to:

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

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

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



Kent W. Foster, Attorney for Roger & Sybil
Ferguson

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