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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 29-2612**

(Insert water right number)

Case No. 39576 )

**STANDARD FORM 1  
OBJECTION**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,  
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100  
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 (Gail McGarry)

Name & Address of Attorney, if any:

David W. Gehlert (303 312-7352)

Trial

Attorney, General Litigation Section

Environment and Natural Resource Division

U.S. Department of Justice

999 18th Street, Suite N 945

Denver, CO 80202

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

Name: Paul Kendell

Address: 3131 W Neeley Rd

American Falls ID 83211

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

- |    |                                     |                                  |                                                                                                                                                                             |
|----|-------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <input type="checkbox"/>            | <b>Name and Address</b>          | Should be:                                                                                                                                                                  |
| 2. | <input type="checkbox"/>            | <b>Source</b>                    | Should be:                                                                                                                                                                  |
| 3. | <input type="checkbox"/>            | <b>Quantity</b>                  | Should be:                                                                                                                                                                  |
| 4. | <input type="checkbox"/>            | <b>Priority Date</b>             | Should be:                                                                                                                                                                  |
| 5. | <input type="checkbox"/>            | <b>Point(s) of Diversion</b>     | Should be:                                                                                                                                                                  |
| 6. | <input type="checkbox"/>            | <b>Instream Flow Description</b> | Should be:                                                                                                                                                                  |
| 7. | <input type="checkbox"/>            | <b>Purpose(s) of Use</b>         | Should be:                                                                                                                                                                  |
| 8. | <input type="checkbox"/>            | <b>Period of Year</b>            | Should be:                                                                                                                                                                  |
| 9. | <input checked="" type="checkbox"/> | <b>Place of Use</b>              | Should be: The place of use should be narrowed to the quarter section and a remark added: <b>The use of water under this right does not include a use on federal lands.</b> |

11. I object because:

- |                          |                                                                                              |
|--------------------------|----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | This water right should not exist.                                                           |
| <input type="checkbox"/> | This water right was not recommended, but should be recommended with the elements described. |

**E. REASONS SUPPORTING EACH OBJECTION(S):**

The claimed place of use, T08S R30E S15, includes federal lands. The decreed place of use should be narrowed to the quarter section and a remark included to clarify that the place of use does not include federal land.

## 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 \_\_\_\_\_ I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or 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, ID. 83303-2707

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

Name: Paul Kendell

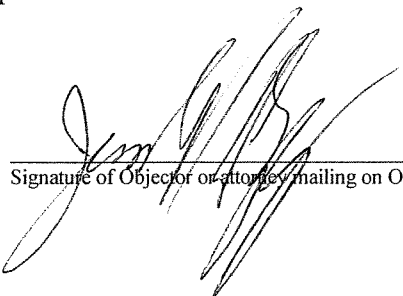
Address: 3131 W Neeley Rd  
American Falls, ID 83211

3. Copies to:

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

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

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

  
\_\_\_\_\_  
Signature of Objector or attorney mailing on Objector's behalf

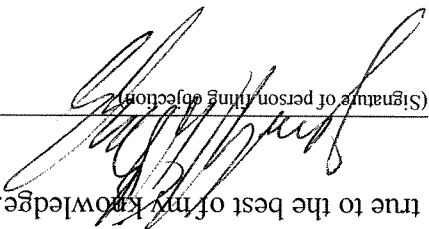
F. VERIFICATION (Must be Completed)

State of Idaho

)  
) ss.  
)  
County of Cassia

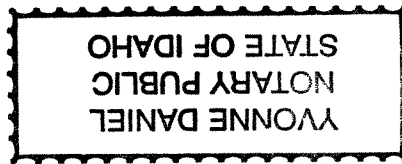
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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)  


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



11-7-03  
\_\_\_\_\_  
Yvonne Daniel  
Notary Public for: Idaho  
Residing at: Burley, Idaho