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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

Case No. 39576

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)
)

A. Subcase 29-13318

(direct water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: McCammon Ditch Co. Ltd.

Address: 10192 So. Hall Rd.

McCammon, ID 83250

Daytime Phone: 208-254-3140

Name & Address of Attorney, if any:

James Spinner

P. O. Box 6009

Pocatello, ID 83205-6009

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

Name: Portneuf Marsh Valley Canal Co. Ltd.

Address: C/O Ellis Gilbert

2777 E. Hawkins Rd.

Downey, ID 83234

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: Is not in compliance with old decree
4. ☒ **Priority Date**
Should be: Is not in compliance with old decree
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):** They are applying for water from the Portneuf River rather than the storage at Chesterfield Reservoir. This water historically has not been delivered, qualified,
or quantified during the extended use. If the courts determine to apportion extended use according to qualified acres only and the right does not have an historical basis, they should be limited
to no more than 102 CFS.

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bannock)

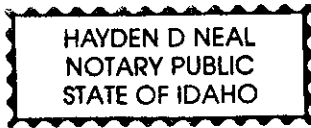
Byron Allen, President . duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Byron K Allen
(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 14, 2003



Hayden D. Neal
Notary Public for Idaho
Residing at: Pocatello, ID
My Commission Expires 8-27-09

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 November 14, ²⁰⁰³~~1997~~, 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:

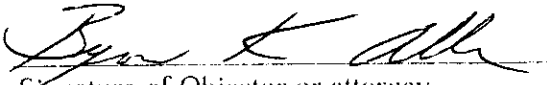
Name:	<u>Portneuf Marsh Valley Canal Co. Ltd.</u>
Address:	<u>C/O Ellis Gilbert</u>
	<u>2777 E. Hawkins Rd.</u>
	<u>Downey, ID 83234</u>

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