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NOV 26 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 29-172 29-173
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Thomas J Archibald

Address: 10408 E Thunder MTn Rd
PO Box 338 LAVA HOT SPRING ID 83246

Daytime Phone: 208-776-5339

Name & Address of Attorney, if any:

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

Name: Thomas J Archibald & Kathy D Archibald

Address: 10408 E Thunder MTn Rd
PO Box 338 LAVA HOT SPRING ID 83246

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: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____

9. ☒ **Place of Use**
Should be: *designated permissible place of use*
within the 1/4 1/4 section to permit irrigation of designated
lands.
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 OBJECTIONS(S): *ATTACHED 1949 Aerial*
Show 160 - 38.50 = 121.50 irrigated acres with the 1/4 1/4
designation. The GIS map shows 112 acres but does not
include lands previously irrigated and shown on 1949 map
as being irrigated. The Dept Recommendation for place of use
does not conform to current usage supported by documentation
submitted to the Department.

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.
County of BANNOCK)

Thomas J Archibald, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

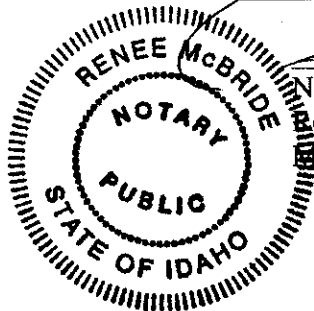
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Thomas J Archibald
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

29th of November - 2003



Renee McBride
Notary Public for State of Idaho
Residing at: hawa haw Springs
My Commission Expires: May 31, 2006

The attached photo, 1949 aerial, used by the Bannock County Assessors office, marked up at that time to show classification (use of) farm property for property tax purposes. The map shows property irrigated "I" or dry "D" farm land and its use. I have marked the $\frac{1}{4}$ / $\frac{1}{4}$ section as designated place of use of the 2.40 CFS (120 in) April 1, 1881 and the .80 CFS (40 in) June 1, 1881 on the map in yellow. All other marking on the map were placed by the assessor office based on the on-site review of land performed by employees at that time.

The map shows that 38.50 acres ($13.25 + 20.54 + 4.75$) were dry farmed and the remainder 121.50 were designated irrigated of the 160 acres referenced in the original water right as place of use.

The proposed "place of use" recommends 112 acres of the $\frac{1}{4}$ / $\frac{1}{4}$ section and ^{that} does not include ^{all} lands shown irrigated in the 1949 aerial map 121.50 acres as are presently irrigated today, less exclusions for creek etc for current
GIS map = 112 acres. M/L
Thomas J. Archibald

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 Nov 24, 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: Claimant is filer.
Address: _____

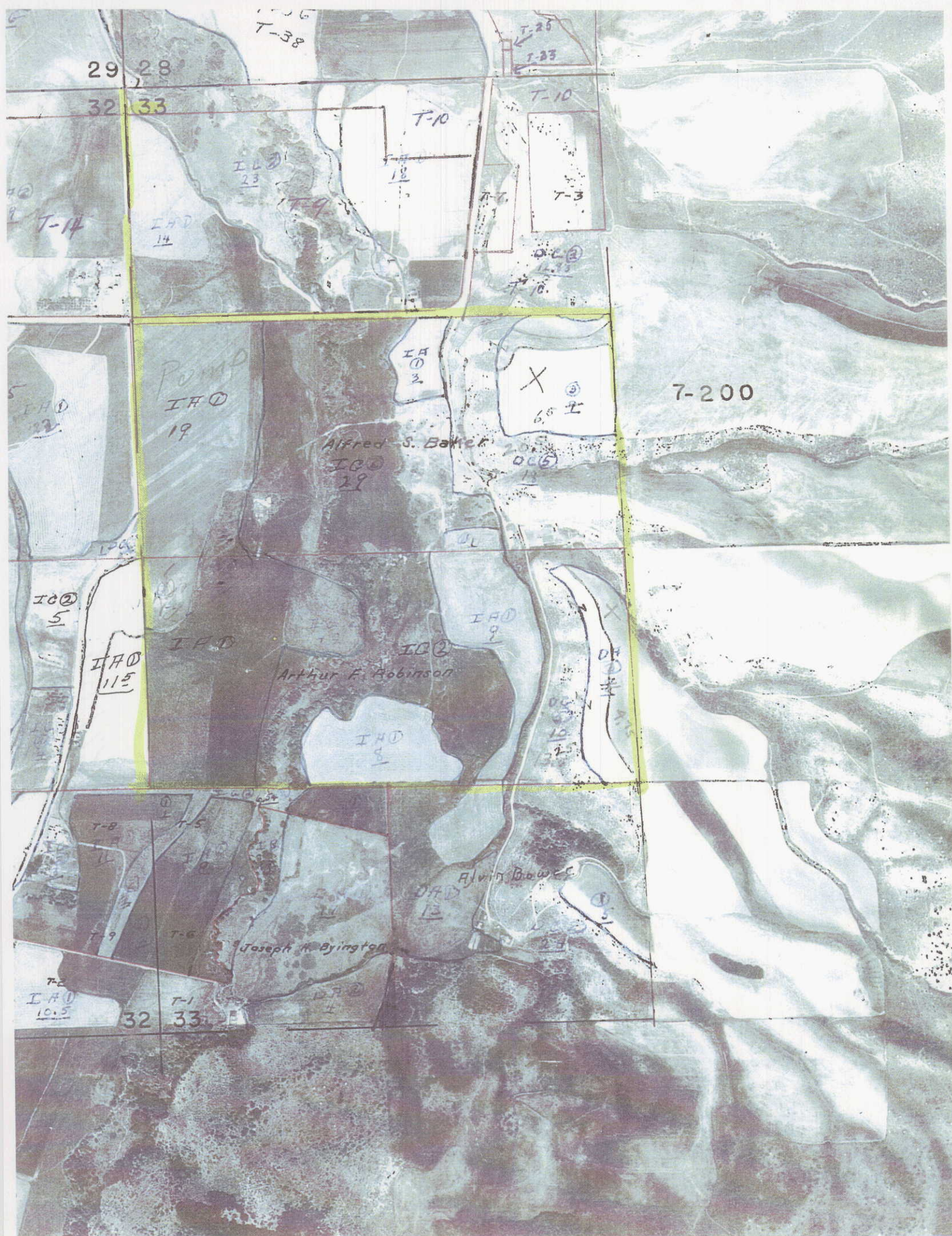
3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

Thomas J. Archibald
Signature of objector or attorney
mailing on Objector's behalf



29 28

32 33

T-38

T-25
T-23

T-10

T-10

T-14

ICD
23

ICD
14

T-3

OC(2)
1-35

T-10

ICD
12

Pump
ICD
19

ICD
2

X
6.5

7-200

Alfred S. Baker
ICD
29

OC(5)
13

ICD
5

ICD
115

ICD

ICD
Arthur F. Robinson

ICD

ICD
9

ICD
8

OC(1)
7.5

OC(1)
10
12.5

T-8
T-5
T-10

T-9
T-6

Joseph A. Byington

Alvin Bowles

ICD
13

OC(1)
24

ICD
10.5

32 33

T-1