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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

A. Subcase 63-5034

(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Bart A. Brassey and Dorothy M. Brassey

Address: 330 Summit Ridge Road

Boise, ID 83702

Daytime Phone: _____

Name & Address of Attorney, if any:

James P. Speck

Speck & Aanestad, A Professional Corporation

P.O. Box 987, Ketchum, ID 83340

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

Name: Bart A. Brassey and Dorothy M. Brassey

Address: 330 Summit Ridge Road

Boise, ID 83702

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: 2.40 cfs

4. ☐ **Priority Date**

Should be: _____

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: see addendum

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): see addendum

F

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Blaine)

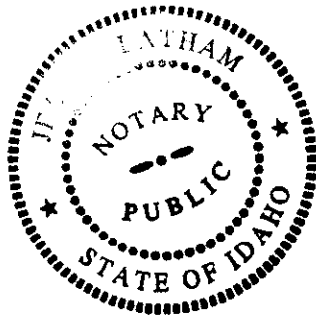
James P. Speck, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

J. P. Speck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 27, 2003



Jana Kathan
Notary Public for Idaho
Residing at: Blaine County
My Commission Expires: 1/25/07

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.



CERTIFICATE OF MAILING

I certify that on January 28, 2003 ~~1999~~ 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:

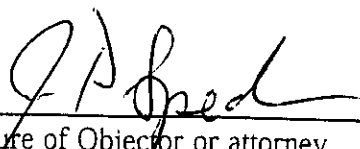
Name: Bart A. Brassey and Dorothy M. Brassey
Address: 330 Summit Ridge Road
Boise, ID 83702

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

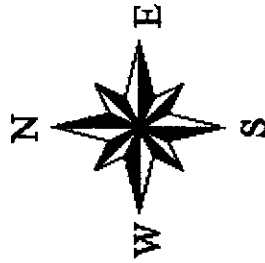
ADDENDUM TO OBJECTION
Subcase No. 63-5034

- D.9. The place of use should include the area marked by cross hatching on Exhibit A attached hereto. The number of irrigated acres within this area can be calculated by IDWR.
- E. The place of use has historically been irrigated by check dams in the unnamed stream and flood irrigation. Conveyance loss should be included in the amount of 0.64 cfs according to the calculations by Mel Schulte attached hereto as Exhibit B. The fields which are irrigated by 63-5047B and 63-5034 are connected. The expanded place of use for 63-5034 requested by this Objection represents the additional lands which are irrigated by the unnamed stream. An amount equal to 0.02 cfs per acre for these additional lands should also be included up to the claimed amount of 2.4 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5034
 Date Prepared: 04-18-02
 Prepared By: Ron Howerton

T07N, R04E



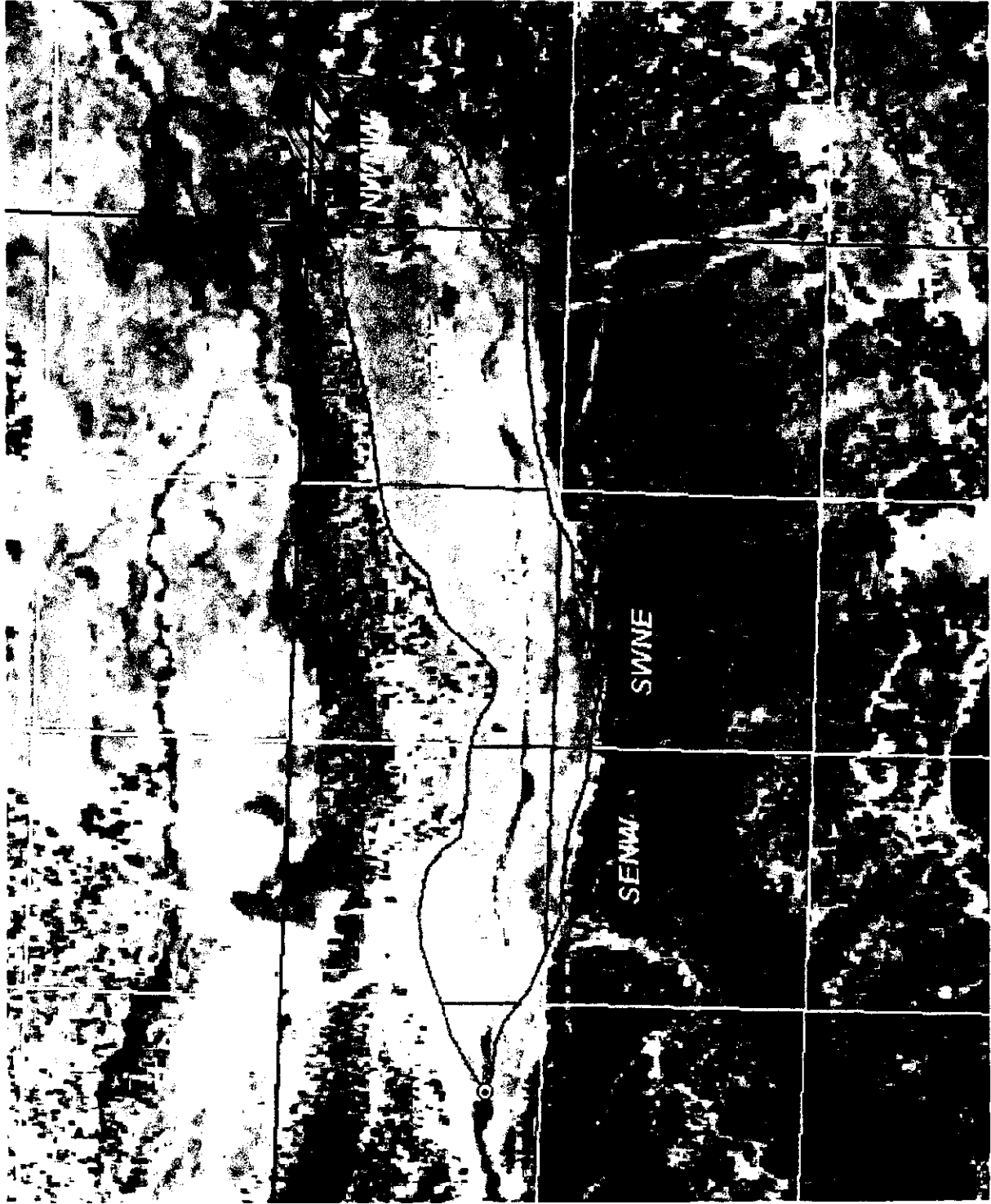
⊙ Point of Diversion

Place of use

Section

Quarter/Quarter

1987 NAPP



0 0.25 0.5 0.75 1 Miles

EXHIBIT A

1/5/98

ESTIMATING CONVEYANCE LOSS



FIELD EXAMINER: Mel Schulte

FIELD EXAM DATE: 10-24-01

FOR CLAIM(S) 163-5034

Ditch from Unnamed Stream on North side of POU.
 FORMULA: $S = (W)(I)(0.0667)$

Where:
 S = Loss in CFS per Mile
 W = The top width of the high water mark in feet
 I = The loss rate in feet per day (see table)
 0.0667 is a factor used to convert to CFS per mile

TABLE:	TYPE OF SOIL	LOSS RATE I (FT/DAY)
	Medium clay loam.....	0.5 to 1.5
	Impervious clay.....	0.5
	Medium soils.....	1.0
	Somewhat pervious soils....	1.5 to 3.0
	Gravel.....	2.5 to 5.0 = 3.0

WORK SHEET

W = (2.92 FT) I = (3.0 FT/DAY) (0.0667)
 S = .58 CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)
 CONVEYANCE LOSS = (.39 CFS/MILE) (1.10 MILE)
 CONVEYANCE LOSS = .04 CFS

TOP OF DITCH = W

Section 1 = 3.25
 Section 2 = 3.00
 Section 3 = 2.5
 Total.... = 8.75
 /2 or 3... = 2.92 = W

MAP MEASUREMENT

Length in Inches = _____ = A
 Map Scale: _____ In. = 1 Mile = B
 A/X : B/5,280 = Ft./5,280 = Mile
5788' / 5280' = 1.10 miles
Based on GIS map measurement.

EXHIBIT B