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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 63-5047.B
(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: 2.98 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

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

NOTARY PUBLIC STATE OF IDAHO

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, ~~199x~~, 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. 63-5047B

D.9. The NE1/4 NW1/4 and NW1/4 NE1/4 of Section 27, Township 7 North, Range 4 East should be the NE1/4 NW1/4 and NW1/4 NE1/4 of Section 34, Township 7 North, Range 4 East. The number of irrigated acres should not change. We believe this is merely a data entry error.

E. The quantity should be the full amount of the claim, *i.e.* 2.98 cfs. The place of use has been historically irrigated by flood irrigation. The conveyance loss has been calculated to include at least 0.73 cfs as described in the calculations by Mel Schulte attached hereto as Exhibits A and B.

1/3/95

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: Mel Lehnert

FIELD EXAM DATE: 10-24-2001

FOR CLAIM(S) A63-50478

Ditch from Trail Creek 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 2.0
Gravel.....	2.5 to 5.0 3.0

WORK SHEET

W = (3.175 FT) i = (3.0 FT/DAY) (0.0667)

S = .64 CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (.64 CFS/MILE) (.71 MILE)

CONVEYANCE LOSS = .45 CFS

TOP OF DITCH = W

Section 1 = 3.25' av @ measured pts
Section 2 = 3.6'
Section 3 = _____
Total.... = 6.35
/2or 3... = 3.175 = W

MAP MEASUREMENT

Length in Inches = _____ = A

Map Scale: _____In. = 1 Mile = B

A/X : B/5,280 = Ft./5,280 = Mile

3.740'/5280' = .71 miles based on GIS map measurements.

EXHIBIT A

1/5/99

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: Mel Schultz

FIELD EXAM DATE: 10-24-01

FOR CLAIM(S) 63-5047B

Ditch from Trail Creek on South side of the Creek

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 2.0
Gravel.....	~~2.5 to 5.0~~ 3.0

WORK SHEET

W = (2.75 FT) i = (3.0 FT/DAY) (0.0667)

S = .55 CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (.55 CFS/MILE) (.5 MILE)

CONVEYANCE LOSS = .28 CFS

TOP OF DITCH = W

* Section 1 = 3.0'
Section 2 = 2.5'
Section 3 =
Total.... = 5.5'
/2or 3... = 2.75' = W

MAP MEASUREMENT

Length in Inches = _____ = A

Map Scale: _____In.= 1 Mile = B

A/X : B/5,280 = Ft./5,280 = Mile

2630'/5280' = .50 mile = GIS map measurements.

* Based on estimate, not actual measurements

EXHIBIT B