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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 80

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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 63-00303

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

AMENDED

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Pioneer Irrigation DistrictAddress: P.O. Box 426Caldwell, ID 83606Daytime Phone: 208-459-3617

Name & Address of Attorney, if any:

Scott Campbell & Angela Schaer KaufmannMoffatt Thomas Barrett Rock & Fields Chtd.P.O. Box 829, Boise, ID 83701-0829

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

Name: Pioneer Irrigation DistrictAddress: P.O. Box 426Caldwell, ID 83606

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: See Attachment A
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: See Attachment A
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: See Attachment A
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See Attachment A

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 Attachment A

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Angela Schaefer Kaufmann, 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)

Angela Schaefer Kaufmann
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Deborah Long
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 10/10/07

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.

G. CERTIFICATE OF MAILING

I certify that on January 30, 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:

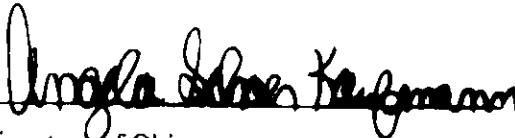
Name: Pioneer Irrigation District
Address: P.O. Box 426
Caldwell, ID 83606

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

ATTACHMENT A
63-00303

Pioneer Irrigation District ("Pioneer") has a contract with the Bureau of Reclamation for irrigation storage water from Arrowrock Reservoir. Pioneer has a right to use 21018 acre feet of water from Arrowrock Reservoir to irrigate 35350.5 acres owned by landholders within Pioneer's service area. The Idaho Department of Water Resources has recommended that Pioneer's water right claim for that amount of water, 63-05262A, be disallowed.

Pioneer has filed or will file an objection to that recommendation, and further objects to the recommendation for SRBA Claim Number 63-303, because the Idaho Department of Water Resources has indicated that claim number 63-5262A has been recommended as 63-303. Pioneer asserts an ownership interest in 63-0303 to the extent that water right, as recommended, includes 63-5262A. This ownership interest is a full ownership interest, in accordance with Idaho law, the Reclamation Act of 1902, 43 U.S.C. § 372, and the United States Supreme Court decision in *Ickes v. Fox*, 300 U.S. 82, 57 S.Ct. 412, 416-17 (1937). In the alternative, Pioneer asserts a beneficial ownership interest, with the United States holding only nominal legal title.

In order to properly define and administer this right, there must be, at a minimum, a remark which provides that any storage change to any element of this right be undertaken in accordance with the transfer proceedings of Idaho law, with the permission of Pioneer Irrigation District as to its portion of the water right, and that any uncontracted space be made available for irrigation use.