

RECEIVED

OCT 18 2004

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: \_45-12900 \_

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street  
MSC 033  
Boise, Idaho 83724

Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri  
550 West Fort Street  
MSC 033  
Boise, Idaho 83724

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

Name: Joseph E Tugaw

Address: 3277 Woodridge Dr  
Twin Falls, ID 83301

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: See E Below

4. ☒ **Priority Date**

Should be: See E Below

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. ☐ **Places 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):**

The United States objects to this water right recommendation in order to implement the terms and conditions of the Stockwater Stipulation and Joint Motion for Order Approving Stipulation signed by Joe Tugaw and filed on August 29, 2002.

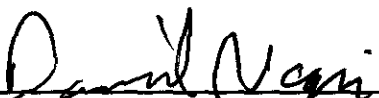
**F. VERIFICATION (Must be Completed)**

State of Idaho            )  
                                  ) ss.  
County of Ada            )

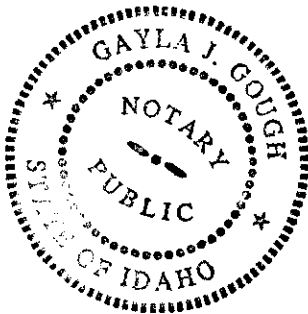
Michael Collette                               , duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

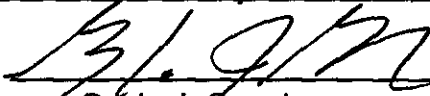
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

  
(Signature of person filing objections)

  
(Attorney signing in representative capacity)

Subscribed and sworn before me on: October 15, 2004



  
Gayla J. Gough

Notary Public for: Idaho  
Residing at: Kuna, Idaho  
Commission Expires: 11/17/2004

## 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 10-15-04, 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: Joseph E Tugaw

Address: 3277 Woodridge Dr  
Twin Falls, ID 83301

Objection served upon counsel  
for Claimant(s)

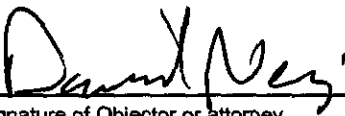
3. Copies to:

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

Travis L. Thompson  
Barker Rosholt & Simpson LLP  
113 Main Ave. W. Suite 303  
Twin Falls, ID 83301

Chief, Natural Resource Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resources Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf