

NOV 30 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

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)
)
)
)
)

A. Subcase 45-4096

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: City of Burley

Address: P.O. Box 1090, 2020 Parke Avenue

Burley, Idaho 83318

Daytime Phone: (208)878-2224

Name and Address of Attorney, if any:

R.C. Stone

P.O. Box 910

Burley, ID 83318

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

Name: City of Burley

Address: P.O. Box 1090, 2020 Parke Avenue

Burley, Idaho 83318

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: 1.34 cfs
4. ☒ **Priority Date**
Should be: April 1, 1917
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: 1/01 - 12/31
9. ☐ **Place of Use**
Should be: _____

10. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommenced with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): This right is to become part of the integrated municipal right for the City of Burley. 1.34 is based upon historic use and the current and reasonable future needs for the City of Burley. Appropriation and application to beneficial use began April 1, 1917, establishing the correct priority date.

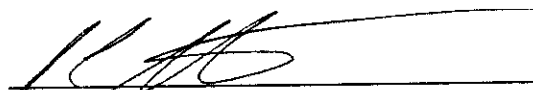
F. **VERIFICATION** (Must be Completed)

State of Idaho)
)ss.
County of Cassia)

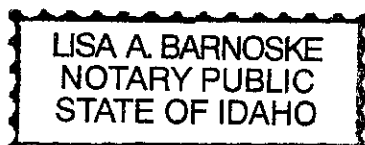
R.C. Stone, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

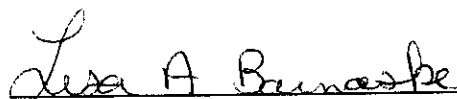
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 29, 2004




Notary Public for Idaho
Residing at: Burley
My commission Expires: 09/28/10

G.

CERTIFICATE OF MAILING

I certify that on November 23, 2004, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One Copy to the Claimant at the following address:

Name: City of Burley
Address: P.O. Box 1090, 2020 Parke Avenue
Burley, Idaho 83318

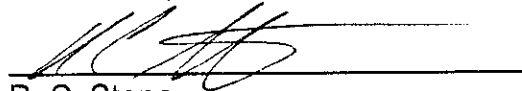
3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

PARSONS, SMITH & STONE, LLP



R. C. Stone
Attorneys for City of Burley
P.O. Box 910
Burley, Idaho 83318