

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 45-78A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: TIM PAYTON, PRESIDENT BIRCH CREEK WATERUSERS

Address: 1900 SOUTH 478 WEST

OAKLEY, IDAHO 83346

Daytime Phone: (208) 862-3224

Name & Address of Attorney, if any:

TRAVIS L THOMPSON

113 MAIN AVENUE WEST, SUITE 303

TWIN FALLS, IDAHO 83301-6167

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

Name: ROBERT G FEHLMAN, DEANN F FEHLMAN

Address: PO BOX 251

OAKLEY ID 83346

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: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: SEE E BELOW
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☒ **Period of Year**
Should be: SEE E BELOW
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 recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** VARIOUS ISSUES WITH ADDITIONAL POINTS OF DIVERSION, POINT OF WATER MEASUREMENT, HISTORICAL EARLY SEASON USE PRIOR TO 3/15, AND REFERENCE TO SEPTEMBER 10, 1992 WATER ROTATION AGREEMENT.

F.

VERIFICATION (must be completed)

State of IDAHO)
)ss.
County of TWIN FALLS)

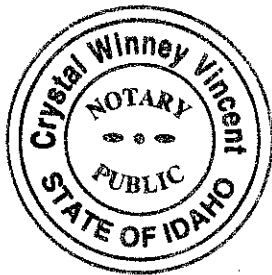
TRAVIS L THOMPSON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: DECEMBER 30, 2004



Crystal Winney Vincent
Notary Public for STATE OF IDAHO
Residing at: TWIN FALLS
My Commission Expires: APRIL 8, 2010

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 DECEMBER 30, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: — ROBERT G FEHLMAN
Address: — DEANN F FEHLMAN
— PO BOX 251
— OAKLEY ID 83346

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf