

2005 JAN -3 PM 4:01

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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 45-13795

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: EARL WARTHEN

Address: PO BOX 145

ALBION, IDAHO 83311

Daytime Phone: (208) 673-5385

Name & Address of Attorney, if any:
NORM SEMANKO/TRAVIS THOMPSON

113 MAIN AVENUE WEST, SUITE 303

TWIN FALLS ID 83301

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

Name: US DEPT OF AGRICULTURE/FOREST SERVICE

Address: 550 WEST FORT STREET MSC 033

BOISE IDAHO 83724

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: _____
6. ☐ Instream Flow Beginning and Ending Point
Should be: _____
7. ☒ Purpose(s) of Use
Should be: _____
8. ☒ Period of Year
Should be: _____
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): NO LAWFUL APPROPRIATION. ALSO
THIS WATER RIGHT HAS BEEN LOST DUE TO ABANDONMENT AND/OR FORFEITURE.

F.

VERIFICATION (must be completed)

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

EARL WARTHEN, 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]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: JANUARY 3, 2005



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 JANUARY 3, 2005, 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: US DEPT OF AGRICULTURE/FOREST SERVICE

Address: 550 WEST FORT STREET MSC 033

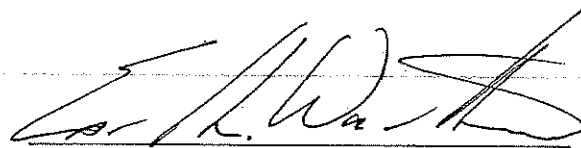
BOISE IDAHO 83724

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