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APR 13 2005

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

A.

Subcase

85-15326

(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:

Don A. Kerby

Address:

19315 Kerby Lane

Lenore ID 83541

Daytime Phone:

(208) 746-9891

Name & Address of Attorney, if any:

N/A

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

Name:

Cherrylane Ranches, Inc

Address:

19022 Kerby Lane

Lenore ID 83541

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: . 40 CFS
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): Attached

E) Reasons supporting Objections:

Upon reviewing the recommendations for this water right, I found that the quantity of irrigation water recommended is inadequate for our continued use of this water right. The recommended usage for irrigation is 0.11 CFS, which equates to only 50 GPM. This land is irrigated primarily with hand-lines. We run up to 24 sprinkler heads, each putting out 7.5 GPM. So, our peak water use for irrigation would be 180 GPM or 0.4 CFS.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Nez Perce)

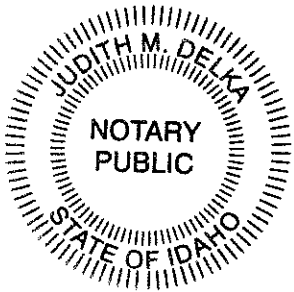
Don A. Kerby, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Don A. Kerby
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 11, 2005



Judith M. Delka
Notary Public for Idaho
Residing at: Lewiston
My Commission Expires: 03-06-06

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 April 11, 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:

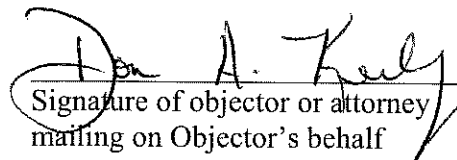
Name: Cherry Lane Ranches, Inc.
Address: 19022 Kerby Lane
Lenore ID 83541

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