

COPY

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MAY 23 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 85-10226
	)		
Case No. 39576	)		
	)		
	)		STANDARD FORM 1
	)		OBJECTION
_____	)		

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Idaho Department of Correction
Address: 1299 N. Orchard St., Suite 110
PO Box 83720
Boise, Idaho 83720-0018

Daytime Phone: (208) 658-2000

Name & Address of Attorney, if any:

Attorney Name:	LAWRENCE G. WASDEN Attorney General CLIVE J. STRONG Deputy Attorney General Chief, Natural Resources Division DAVID J. BARBER Deputy Attorney General Idaho Department of Lands
Attorney Address:	700 W. Jefferson, Room 210 P.O. Box 44449 Boise, ID 83711-4449
Attorney Phone No.	(208) 334-2400 Idaho State Bar # 2597

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

Name: State of Idaho
Dept of Corrections [sic]
Address: 1299 N Orchard St. Ste 110
Boise, ID 83720

D. I object to the following elements as recommended in the Director's Report.

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: The total annual diversion should be 75.6 acre feet
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: T32N R01W S26 NESWSW Within Idaho County
T32N R01W S26 SESWSW Within Idaho County
6. ☐ **Instream Flow Description**
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 OBJECTION(S):

3. The population of the North Idaho Correctional Institute has varied from a low of 355 to a high of 454 inmates during the period from August 2004 to May 2005. If the usage rate is assumed to be about 150 gallons per day per inmate and if the population of this prison is rounded off to be 450 inmates, then the annual amount of water needed would be about 75.6 acre feet. A true and correct copy of the Director's Count Sheet for the date of August 17, 2004 is attached, which 454 inmates for the NICI.
5. Water right numbers 85-10226 and 85-10216 are diverted from one primary well. The second well is not presently in use but should be retained as an alternative point of diversion for use during outages and emergencies. A pump is installed in the second well.

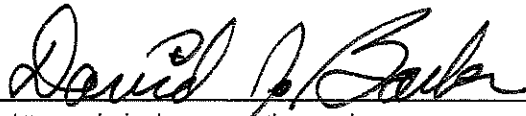
F. VERIFICATION

State of Idaho)
) ss.
County of Ada)

David J. Barber, being first duly sworn, upon oath, deposes and says:

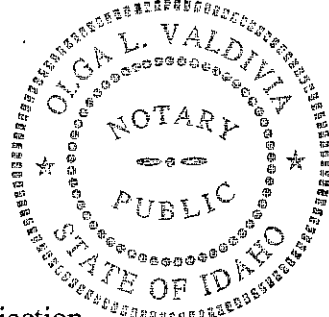
That the State of Idaho, Department of Correction, in its proprietary capacity, is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Correction, which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

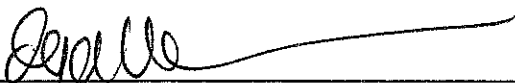
LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
DAVID J. BARBER
Deputy Attorney General
Idaho Department of Lands


By Attorney signing in representative capacity

Subscribed and sworn to before me on: May 20, 2005

(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/06

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 May 20, 2005, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

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

State of Idaho
Dept of Correction
1299 N Orchard St., Ste 110
Boise, ID 83720

STATEHOUSE MAIL

3. Copies to:

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

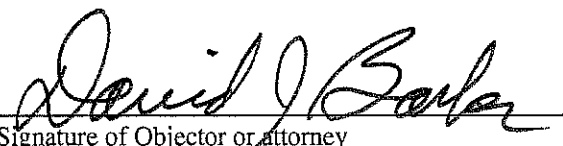
STATEHOUSE MAIL

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

(not applicable)

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

U.S. MAIL


Signature of Objector or attorney
Mailing on Objector's behalf

ADMD003A

IDAHO DEPARTMENT OF CORRECTION
DIRECTOR'S COUNT SHEET
FOR 08/17/2004

Page 1
Time 04:02

INSTITUTIONS:	Safe Operating Capacity	Ret Juris	Termers	Inst. Total	Totals	Percent Maximum Capacity
IMSI	552	1	506	507		92
ISCI	1338	74	1234	1308		98
SICI	659	0	719	719		109
ICIO	541	7	547	554		102
NICI	369	454	0	454		123
PWCC	279	42	245	287		103
SAWC	200	0	199	199		100
ICC	1272	0	1284	1284		101
SBWCC	120	118	0	118		98
CWC-NAMPA	84	0	83	83		99
CWC-BOISE	96	0	94	94		98
CWC-TF	81	3	75	78		96
CWC-IF	84	1	81	82		98
CWC-SICI	70	0	69	69		99
TOTAL:	5745	700	5136		5836	102

CONTRACT BEDS:

SPECIAL PROVIDERS

CONTRACT BED TOTAL:

0 1 1

1

OCCUPIED BED TOTAL:

5837

COUNTY JAILS:

	MALE	FEMALE	TOTAL
Jail Housing	19	89	108
Termers	107	77	184
Ret Juris	33	13	46
Parole Violators (Awtg Transport)	32	14	46
Parole Violators (Awtg Hearing)	86	7	93
Security Restrictions	2	0	2
COUNTY JAILS TOTALS	279	200	479

TOTAL BEDS:

6316

Post-it® Fax Note	7671	Date 5/18/05	# of pages 1
To David Barber	From Pat Donaldson		
Co./Dept.	Co.		
Phone #	Phone # 658-2108		
Fax # 334-2690	Fax #		