

**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. <u>Subcase</u> <u>85-11242</u>
	)	
Case No. 39576	)	(Insert water right number)
	)	
	)	
	)	STANDARD FORM 1
	)	OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
 Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
 Boise, Idaho 83706-1234
Daytime Phone: (208) 378-5306 E.Gail McGarry
 Name & Address of Attorney, if any:
 David W. Gehlert (303 312-7352)
 Trial Attorney, General Litigation Section
 Environment and Natural Resource Division
 U.S. Department of Justice
 999 18th Street, Suite N 945
 Denver, CO 80202

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

Name: VALARIE EARL	ELMER D EARL
Address: RIVER RT	26520 SNAKE RIVER RD
LEWISTON ID 83501	CLARKSTON WA 99402

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(s) of Diversion** Should be:

6. ☐ **Instream Flow Description** Should be:

7. ☐ **Purpose(s) of Use** Should be:

8. ☒ **Period of Year** Should be: 3/15 - 11/15

9. ☐ **Place of Use** Should be:

11. ☐ **I object because:**

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

E. REASONS SUPPORTING EACH OBJECTION(S):

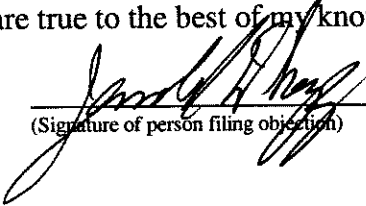
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of 3/15 - 11/15 which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

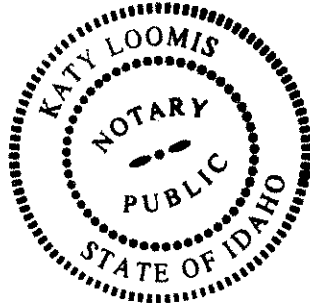
Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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:



May 26, 2005
Katy Loomis

Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 10/17/2009

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.

CERTIFICATE OF MAILING

I certify that on May 26, 2005 I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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

Name: VALARIE EARL
Address: RIVER RT
LEWISTON ID 83501

2.

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

ELMER D EARL
26520 SNAKE RIVER RD
CLARKSTON WA 99402

3. Copies to:

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

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

SF. 1 – Objection
Amended 10/16/97

Signature of Objector or attorney mailing on Objector's behalf