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JUN 24 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 25-04082

(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: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
Address: 911 NE 11TH AVE
PORTLAND, OR 97232-4181
Daytime Phone: (503) 231-6251

Name & Address of Attorney, if any:

JAMES DUBOIS,
U.S. DEPARTMENT OF JUSTICE
999 18 STREET - N TOWER
DENVER, CO 80202

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

Name: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH AND WILDLIFE SERVICE, DIVISION OF ENGINEERING
Address: 911 NE 11TH AVE
PORTLAND, OR 97232-4181

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: 4/15 – 10/15
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): Period of Year: The Director's Report allows a Period of Year of 6/1 – 12/15. The claimed Period of Year is 3/15 – 11/15, however the period should be approved as 4/15 - 10/15. The Refuge begins the filling of ponds in April as water becomes available. Stockwater after 10/15 is not needed under this claim.

F.

VERIFICATION

State of Colorado)
)
County of Denver)

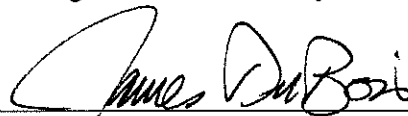
ss.

James J. DuBois, duly sworn, upon oath, deposes and says:

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.

KELLY A. JOHNSON
Acting Assistant Attorney General

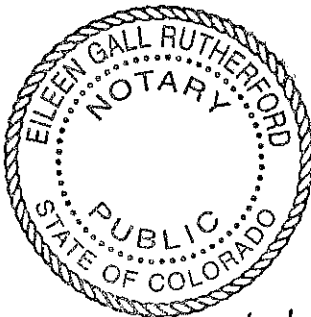
By:



JAMES J. DUBOIS, #13206
U.S. Department of Justice
Environment and Natural
Resources Division
General Litigation Section
999 18th Street, Suite 945
Denver, Colorado 80202
(303) 312-7341

ATTORNEY FOR THE
UNITED STATES OF AMERICA

Subscribed and sworn to before me on : June 21, 2005



My Commission Expires 8/23/2008


Notary Public for State of Colorado
Residing at: 1955 Kestle Lane Superior Co 80077
My Commission Expires: 8/23/2008

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 June 21, 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
Twin Falls, ID 83301

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

United States of America
c/o U.S. Fish and Wildlife Service
911 NE 11TH Avenue
Portland, OR 97232-4181

3. Copies to:

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

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

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



Signature of attorney mailing on
Objector's behalf