

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

|                       |   |           |                             |
|-----------------------|---|-----------|-----------------------------|
| <b>In Re SRBA</b>     | ) | <b>A.</b> | <b>Subcase: 27-07250</b>    |
|                       | ) |           | (Insert water right number) |
| <b>Case No. 39576</b> | ) |           |                             |
| _____                 | ) |           |                             |

**STANDARD FORM 1  
OBJECTION**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: Shoshone-Bannock Tribes  
Address: P.O. Box 306  
Fort Hall, ID 83203  
Daytime Phone: (208) 239-4580

Name & Address of Attorney, if any:  
Jeanette Wolfley  
202 N. Arthur  
Pocatello, ID 83204

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

Name: USDA Forest Service  
Address: 550 W Fort St MSC 033  
Boise, ID 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: End on July 1
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):** See Attachment.

F.

**VERIFICATION** (must be completed)

State of Idaho )  
 )ss.  
County of Bingham )

Jeanette Wolfley, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

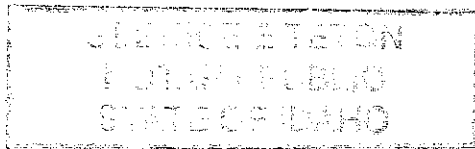
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

\_\_\_\_\_  
(Signature of person filing objection)

Jeanette Wolfley  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

03/07/06



Glenice E. Stetson  
Notary Public for Idaho  
Residing at: Bingham, Idaho  
My Commission Expires: 12/13/06

G.

**CERTIFICATE OF MAILING**

I certify that on 3/8, 2008, 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:

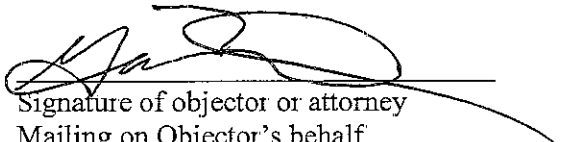
Name: USDA Forest Service  
Address: 550 W Fort St MSC 033  
Boise, ID 83724

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

## ATTACHMENT

### E. REASON SUPPORTING OBJECTIONS(S)

#### 8. Period of Year

The water rights of the Shoshone-Bannock Tribes were quantified in the 1995 Partial Final Consent Decree Determining the Rights of the Shoshone-Bannock Tribes to the Use of Water in the Upper Snake River Basin (August 2, 1995). In water right No. 27-11375, the Shoshone-Bannock Tribes and United States agreed to subordinate the exercise of their water rights in the Blackfoot River to those water users diverting water prior to January 1, 1990. This subordination was based upon an estimate that the total annual diversion volume of these non-Indian water rights would not exceed 45,000 acre-feet per year. It was understood by the parties to the negotiation that diversions in the upper elevations of Basin 27 are limited by the availability of runoff, which lasts to July 1 of each year. The source of water serving this water right is not available for use past July 1. The period of use should be revised to match the period of water availability, and as such should terminate on July 1.