

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)

Case No. 39576)
_____)

A.

Subcase 37-791E
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Leo E Ray

Address: 4647 D River Rd
Buhl Id. 83332

Daytime Phone: 208 837 6114

Name & Address of Attorney, if any:

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

Name: College of Southern Idaho

Address: PO Box 1238

Twin Falls Id 83303-1238

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: 1 1/2 Acre + limited to 8 Acres irrigated in 1987
on the 5 Acres before
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):** See attached

Water Right No 37-791E
College of Southern Idaho

Answer to E.

There is no justification for over one inch per acre. Measuring devices were not in place in 1987 and there are no reliable records showing over one inch per acre has historically been used. Reliable measuring devices still do not exist. Decker springs is over appropriated and granting over one inch per acre, which is more than can be put to beneficial use, will deprive other of their water rights.

Aerial photos show this was not irrigated in 1987 and it does not appear it was irrigated in the five years prior to 1987. An irrigation system was put in around 2,000. This water was put to beneficial use by other water users after it had not been used for over five years. An irrigation system was put in about the year 2,000 and irrigation resumed.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Twin Falls)

Leo E. Ray, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

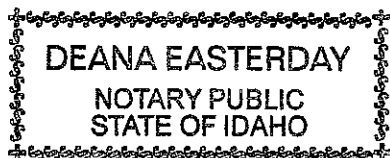
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Leo E. Ray
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

March 8, 2006



Deana Easterday

Notary Public for First Federal

Residing at: Buhl

My Commission Expires: 9-5-09

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 March 8, 2006 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: College of Southern Idaho
Address: P.O. Box 1238
Twin Falls ID 83303-1238

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

L. C. E. Ray
Signature of objector or attorney
mailing on Objector's behalf