

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 37-20490
(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: Peter A. Bowler

Address: 555 River Road #E
Bliss, Idaho 83314

Daytime Phone: (208) 837-6436

Name & Address of Attorney, if any:

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

Name: Laurence Smith Estate

Address: % Richard B. Strickland
P.O. Box 484

Gooding, Idaho 83330

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: Reviewed - allocated at 1" / acre
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: from a locked measuring device
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):** I urge re-examination of qualifying irrigated acreage, subtracting the gravel pit that pre-existed the cut-off date. Whatever the reasonable acreage is determined, I urge awarding it an inch/acre as there is no measured record for use in this watershed.

I urge a re-examination of the acreage under irrigation in 1987 and qualifying for allocation in this filing. There were never many acres irrigated at this site, and the gravel mining operation that is observable in historic photographs prior to that date reduced the site as an agricultural endeavor. Laurence Smith's Estate should be fairly allocated what is justified by provable historic use, but this filing is far greater than seems reasonable. Thus, I urge it be reviewed, and whatever the just allocation is, that it be awarded at a rate no greater than an inch an acre – since there is no measured record of irrigation use for the filing – and that the irrigation flow emanate from a locked measuring device at the point of diversion.

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 6, 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:

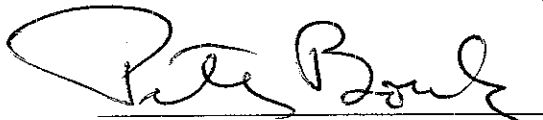
Name: Laurence Smith Estate
Address: c/o Richard B. Strickland
PO Box 484

3. Copies to: Gooding, Idaho 83330

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

F.

VERIFICATION (must be completed)

State of CALIFORNIA

County of ORANGE)ss.

PETER A. BOWLER, 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.

Peter A. Bowler
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

MARCH 6, 2006
Keith C. Welputt
Notary Public for CALIFORNIA
Residing at: ORANGE COUNTY, CALIFORNIA
My Commission Expires: JULY 14, 2009

