

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 27-10344
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Shoshone-Bannock Tribes
Address: PO Box 306
Fort Hall, Idaho 83203

Daytime Phone: (208) 232-1922

Name & Address of Attorney, if any:

Jeanette Wolfley, Special Counsel
PO Box 306
Fort Hall, Idaho 83203

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

Name: David Stark & Denise Stark
Address: 410 West Riverton Rd
Blackfoot ID 83221

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: See E. Reasons Supporting Objections(s)
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: See E. Reasons Supporting Objections(s)
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)

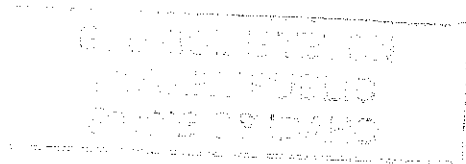
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Jeanette Wolfley
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

03/13/06



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

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 MAR 13, 2006, I mailed the original 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:

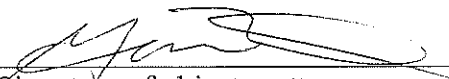
Name: David Stark & Denise Stark
Address: 410 West Riverton Rd
Blackfoot ID 83221

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 attorney
Mailing on Objector's behalf

ATTACHMENT

PLACE OF USE: The 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) decreed all water rights to Indian lands within the exterior boundaries of the Fort Hall Reservation as reserved to the Shoshone-Bannock Tribes. The land specified in the place of use for this claimed water right is located within the boundaries of the Fort Hall Reservation, as surveyed by the U.S. Bureau of Land Management, and thus is Indian land. This claim seeks a water right that has already been decreed to the Shoshone-Bannock Tribes. This claim should not exist. To the extent that the claimed total acreage and water quantity includes Indian lands, it should be changed by deducting the decreed Indian land and corresponding water quantity.