

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 Number: 27-7000

(Insert water right number)

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Lands

Address: 700 W. Jefferson, Room 210

P.O. Box 44449

Boise, Idaho 83711-4449

Daytime Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN

Attorney General

CLIVE J. STRONG

Deputy Attorney General

Chief, Natural Resources Division

DAVID J. BARBER (ISB # 2597)

Deputy Attorney General

Attorney Address: Office of the Attorney General

700 W. Jefferson, Room 210

P.O. Box 44449

Boise, ID 83711-4449

Attorney Phone No. (208) 334-2400

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

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

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: None.
2. ☒ **Priority Date**
Should be: None.
3. ☒ **Source**
Should be: None.
- 4a. ☒ **Description of Diversion Works:**
Should be: _____
- 4b. ☒ **Point of Diversion**
Should be: None.
5. ☒ **Quantity (Diversion Rate)**
Should be: None.
6. ☐ **Instream Flow**
Should be: Not Applicable
7. ☒ **Purpose(s) of Use**
Should be: None.
8. ☒ **Period of Use**
Should be: None.
9. ☒ **Place of Use**
Should be: None.

11. **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 OBJECTION(S):

The 1990 FORT HALL INDIAN WATER RIGHTS AGREEMENT, hereinafter the "1990 Agreement," and the PARTIAL FINAL CONSENT DECREE DETERMINING THE RIGHTS OF THE SHOSHONE-BANNOCK TRIBES TO THE USE OF WATER IN THE UPPER SNAKE RIVER BASIN, hereinafter the "Fort Hall Consent Decree," constituted a comprehensive settlement of the water right claims of the Shoshone-Bannock Tribes. The use of ground water from the Blackfoot River basin was decreed in water right no. 27-11376. The 1990 Agreement and the Fort Hall Consent Decree preclude recognition of notice of claim no. 27-7000.

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F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

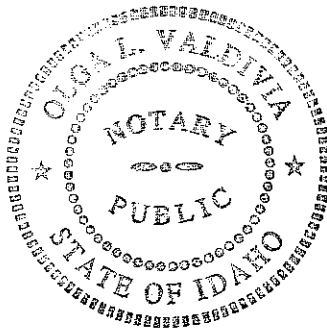
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

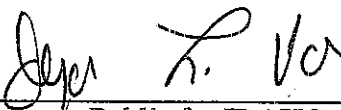
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: March 16, 2006
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

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 16, 2006 I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

FEDERAL EXPRESS
OVERNIGHT DELIVERY

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

Shoshone-Bannock Tribes
PO Box 306
Fort Hall, ID 83203

U.S. MAIL

3. Copies to:

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

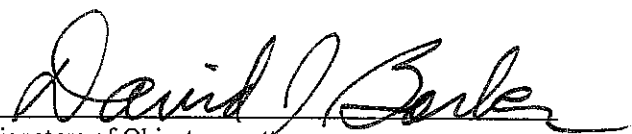
STATEHOUSE MAIL

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

U.S. MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)


Signature of Objector or attorney
Mailing on Objector's behalf