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DEPARTMENT OF
WATER RESOURCES

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 39576

) A. Subcase 63-31247

) (Insert water right number)

) STANDARD FORM 1
) OBJECTION
)
)
)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dale M. Frazell

Address: 15205 N. McFarland Creek Rd.
Boise, ID 83714

Daytime Phone: (208) 433-9282

Name & Address of Attorney, if any:

N/A

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

Name: Dale M. Frazell / Kathleen Keys

Address: 15205 N. McFarland Creek Rd.
Boise, ID 83714

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: 0.12 cfs; 0.4 afy (volume limit on storage only)
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: 3.9 acres within an 11 acre place of use
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):

1. When junior priority rights are not in priority the 3.9 acre place of use for this right justifies a diversion rate of 0.03 cfs/acre.
2. The 0.4 afy volume limit could be misread as limiting total diversion under this right to 0.4 afy.
3. If right no. 63-32082 is out of priority, this right should be allowed to be used with a permissible place of use established since at least 1959.

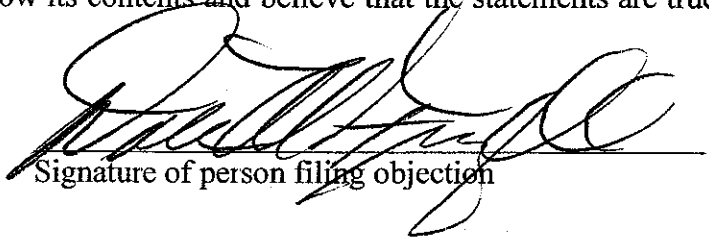
F.

VERIFICATION (Must be Completed)

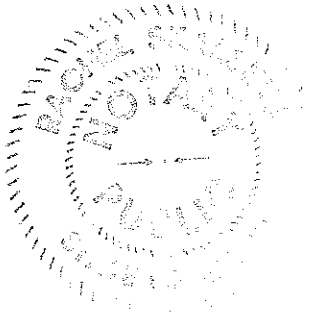
State of Idaho)
) ss.
County of Ada)

Dale M. Frazell 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) 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

Subscribed and sworn to before me on: March 20, 2006



Rachel Skalski
Notary Public for U.S. Bank
Residing at: Meridian, ID
My Commission expires: 2-19-2010

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 22nd, 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:

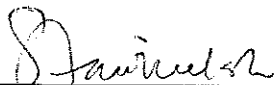
Name: _____
Address: _____

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

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



Signature of Objector or
person mailing on Objector's behalf