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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 63-9658

(Insert water right number)

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Lakewood No. 4 Homeowners Assoc.

Address: 3156 Woodbrook PL
Boise, Id 83706

Daytime Phone: 208-363-0208

Name & Address of Attorney, if any:

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

Name: Lakewood No. 4 Homeowners Assoc.

Address: 3156 Woodbrook PL
Boise, Id 83706

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 Section E

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 OBJECTION(S):**

- 1) In the "Quantity" section of the recommendation for this right, the 1.0 afy volume provision should be clarified to apply only to the "Aesthetic Storage" purpose listed under the "Purpose and Period of Use" section of the recommendation. Similarly, the combined annual volume of 28.1 af in the

sentence under the "Quantity" section should be clarified to apply only to "Irrigation" and "Aesthetic Storage" purposes authorized under Right Nos. 63-8402, 63-9658 and 63-10818. Diversion and use of water for the purpose listed as "Diversion to Storage" under the "Purpose and Period of Use" section of the recommendation for this right should not be subject to these annual volume limits, in accordance with the development and use of the right and as licensed by IDWR. Water in addition to that required for irrigation and to fill the pond has always been diverted to flow through the pond to maintain the quality of water in the pond.

- 2) Paragraphs related to conditions of approval from Transfer No. 71237 that are no longer applicable should be dropped from the "Other Provisions Necessary for Definition or Administration of this Water Right" and the "Explanatory Material" sections of the recommendation for this right; i.e. Paragraph 1 under "Other Provisions..." and Paragraphs 4, 5 and 7 under the "Explanatory Materials" section should be deleted from the recommendation. The new well for the change in point of diversion approved by the transfer has been constructed and the old well has been abandoned. Drillers' reports have been filed with IDWR documenting compliance.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of Ada

)

I, Dale Matthews, 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.

Dale Matthews

Dale Matthews, Treasurer

Signature of person filing objection

Lakewood No. 4 Homeowners Assoc.

Attorney signing in representative capacity

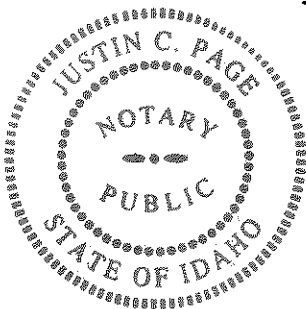
Subscribed and sworn to before me on:

Justin C. Page 10th of April, 2009

Notary Public for Idaho

Residing at: Boise

My Commission expires: 10.06.2009



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 April 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:

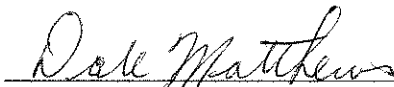
Name: Dale Matthews, Treasurer
Lakewood No. 4 Homeowners Assoc.
Address: 3156 Woodbrook PL
Boise, Idaho 83706

3. Copies to:

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

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

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


Dale Matthews

Signature of Objector or attorney
mailing on Objector's behalf