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APR 20 2006
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)

A. Subcase 63-8118

(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: South Boise Water Company

Address: P.O. Box 6005

Boise, Idaho

Daytime Phone: 208 887-1385

Name & Address of Attorney, if any:

Ringert Clark

455 South Third Street

Boise, Idaho 83701

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

Name: Frank F. Davis & Kathryn C. Davis

Address: 150 Parkway Drive

Boise, Idaho 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: _____
4. ☒ **Priority Date**
Should be: "only during flood control releases from reservoirs up stream"
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 OBJECTIONS(S): During normal river flows the waters in Loggers Creek are diverted under rights held by South Boise Water Company (63-148C, 63-149A) and the Bureau of Reclamation (63-3613, 63-3614, 63-3618). Reclamations flows are administered by the Idaho Department of Fish & Game. Because other pre-existing rights are active during normal flows, there is water available for diversion under right 63-8118 only during flood control releases from reservoirs up stream.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

Evelyn Marie Holder, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

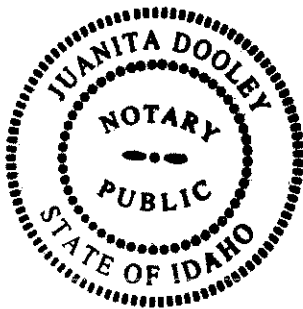
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Evelyn M. Holder
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

4 / 19 / 06



Juanita Dooley
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 9 / 21 / 11

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 18, 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:

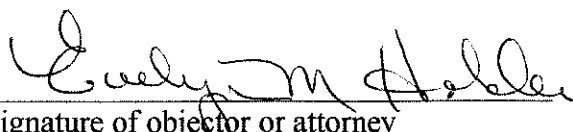
Name: South Boise Water Company
Address: P.O. Box 6005
Boise, ID 83707

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 or attorney
mailing on Objector's behalf