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APR 21 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

Case No. 39576

A. Subcase 63-29766

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Warm Springs Water District
Address: 2440 Old Penitentiary Road
Boise, Idaho 83712

Daytime Phone: 208-344-3596

Name and Address of Attorney, if any:

Bruce M. Smith
225 N. Ninth Street, Ste. 420
Boise, ID 83702

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

Name: United States of America Acting through
USDI US Geological Survey
Address: 230 Collins Road
Boise, ID 83702-5420

COPY

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: _____
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 SUPPORT OBJECTION(S): From the information provided, this claim does not appear to be supportable as a federal reserved right claim. Further, it may not be consistent with other federal reserved right claims.

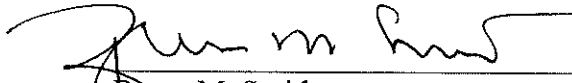
F.

VERIFICATION

State of Idaho)
)
County of Ada)

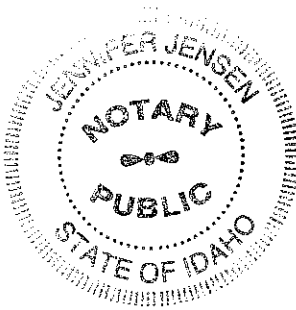
BRUCE M. SMITH, duly sworn, upon oath, deposes and says:

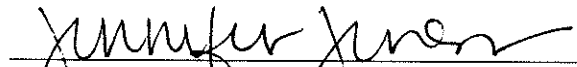
That I am the party/claimant filing this objection, as defined by I.C. § § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objection and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Bruce M. Smith
Attorney for Boise Warm Springs Water District

Subscribed and sworn to before me on: April 19, 2006.





Notary Public for Idaho
Residing at: Boise
My Commission Expires: 6/5/2006

CERTIFICATE OF MAILING

I certify that on April 19, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

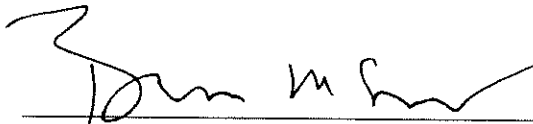
Jack Haugrud
United States Department of Justice
Land & Natural Resource SEC
P.O. Box 663
Washington, DC 20044-0663

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & National Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
P.O. Box 44449
Boise, ID 83711-4449



Bruce M. Smith