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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 No. 39576)

A. Subcase 63-31621

(Insert water right no.)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: NAMPA & MERIDIAN IRRIGATION DISTRICT

Address: 1503 First Street South
Nampa, Idaho 83651

Daytime Phone: 208-466-7861

Name & Address of Attorney, if any:
Daniel V. Steenson
S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

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

Name: James Franklin Shoemaker

Address: 7885 Shoemaker Ln
Meridian, Idaho 83642

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. X **Name and Address**
 Should be: Disallowed. See below.
2. X **Source**
 Should be: Disallowed. See below.
3. X **Quantity**
 Should be: Disallowed. See below.
4. X **Priority Date**
 Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
 Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
 Should be: N/A
7. X **Purpose(s) of Use**
 Should be: Disallowed. See below.
8. X **Period of Year**
 Should be: Disallowed. See below.
9. X **Place of Use**
 Should be: Disallowed. See below.
10. X **I object because:**

 X 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):** This claimed water right is within the boundaries of Nampa & Meridian Irrigation District ("NMID") and the source of said claim is a drain which was constructed or enlarged by or for NMID. Said drain is owned, operated, maintained and controlled by NMID and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by NMID. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

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.

CERTIFICATE OF MAILING

I certify that on April 28th, 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: James Franklin Shoemaker

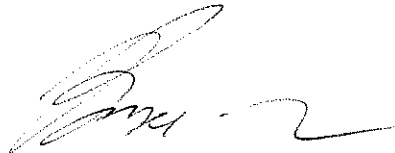
Address: 7885 Shoemaker Lane
Meridian, Idaho 83642

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf