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APR 24 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: 63-31601 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 334-1936

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name: Estate of Margaret Elizabeth Odom DeMeyer
Address: Arlen A DeMeyer Jr, Personal Representative
Mayfield Stage HC 34
Boise, ID 83716

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: See E below

2. ☒ **Source**
Should be: See E below

3. ☒ **Quantity**
Should be: See E below

4. ☒ **Priority Date**
Should be:

5. ☒ **Point(s) of Diversion**
Should be: See E below

6. ☐ **Instream Flow Description**
Should be:

7. ☒ **Purpose(s) of Use**
Should be: See E below

8. ☒ **Period of Year**
Should be: See E below

9. ☒ **Places of Use**
Should be: See E below

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):**

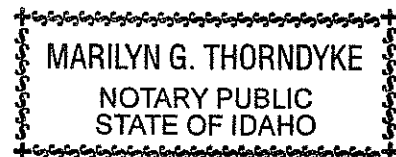
The point of diversion for this water right as shown in the Directors Report Recommendation is on National Forest System (NFS) land. The claimant is not authorized to occupy and use NFS and for this purpose. In addition, Forest Service and IDWR records indicate that the water use for this claim appears to have already been decreed in the SRBA as 63-09371.

State of Idaho)
County of Ada) ss.

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.

Dan Nege
(Attorney signing in representative capacity)

Commission Expires: 4-16-2010



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 APR 20 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:

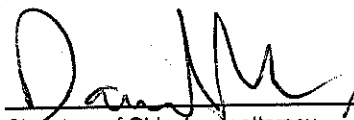
Name: Estate of Margaret Elizabeth Odom DeMeyer
Address: Arlen A DeMeyer Jr, Personal Representative
Mayfield Stage HC 34
Boise, ID 83716

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf