

May 1, 2006
Leadore, Idaho 83464

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To Whom It May Concern:

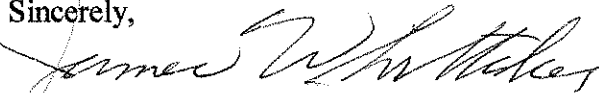
Enclosed you will find our formal objections to our water rights as presently filed.

We thought the idea of this adjudication was to have the water appropriated as it had been used prior to 1987. We sent all the documentation required for their approval.

Please note, attached to sub-case 74-15080 is the letter dated September 3, 1982, and signed by Glen Saxton, verifying early season use and high water use among other issues we are concerned about.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "James Whittaker", written in dark ink.

James Whittaker
P.O. Box 240
Leadore, Idaho 83464
Phone: 208-768-2491

RECEIVED

MAY 05 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

74-354

(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING.

Name:

F. James Whittaker

Address:

P.O. Box 240

Leadore ID 83464

Daytime Phone:

768 2491

Name & Address of Attorney, if any:

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

Name:

F. James Whittaker

Address:

P.O. Box 240

Leadore ID 83464

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: As claimed
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: as claimed
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):

Documentation in file shows the correct
1987 condition of this WR is the
permissible place of use as claimed.

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 1 May, 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:

Address:

F James Whittaker

PO Box ~~240~~ 240

Leadore ID 83464

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

74-354

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Lemhi)

F James Whittaker, 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.

F James Whittaker
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

29 Apr 2006
Bryce A. Contor
Notary Public for Idaho
Residing at: Dona
My Commission Expires: 14 Oct 2011

