

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 <u>21-112</u>
	)		(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: F. Dave Rydalch

Address: 625 E 4 N St. Anthony Idaho 83445

Daytime Phone (208)624-1437

Name & Address of Attorney, if any:

Ray W. Rigby

Box 250 Rexburg Idaho 83440

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

Name: North Fork Reservoir Company

Address: Box 250 Rexburg Idaho 83440

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: North Fork Reservoir Company
2. ☒ **Source**
Should be: Johnson Creek
3. ☒ **Quantity**
Should be: 1 c.f.s.
4. ☒ **Priority Date**
Should be: 1900-06-01
5. ☒ **Point of Diversion**
Should be: Johnson Creek to Henry's Lake SWNW Sec. 26 Township 15N Range 43E FREMONT County
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: To Irrigation Storage
8. ☒ **Period of Year**
Should be: January 1 to December 31
9. ☒ **Place of Use**
Should be: The lands of the Egin Bench Canal Company, the Salem Union Canal Company and the Consolidated Farmers Canal Company in Fremont and Madison Counties.
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): The original place of use was flooded when Henrys lake was enlarged by construction of the Dam. It was transferred to the lands within the North Fork Reservoir Company but it is more convenient to include it as a storage right rather than to make some arbitrary distribution of it as

a natural flow right among the canals of North Fork Reservoir Company. This water right should be recognized as an accomplished transfer of natural flow to the canal companies within the North Fork Reservoir Company or as an accomplished transfer to the North Fork Reservoir Company.

F. VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Madison)

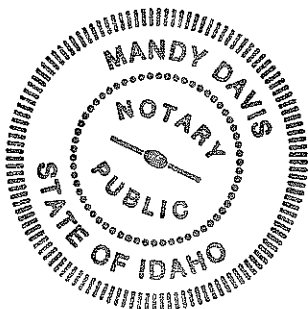
F. David Rydalch, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1404A(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. David Rydalch
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 25, 2006



Mandy Davis
Notary Public for Idaho
Residing at: ~~Rexburg~~ St. Anthony
My Commission Expires: ~~11/09/11~~ 6-24-11

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 May 22 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:

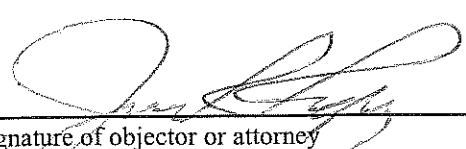
Name: F. Dave Rydalch
Address: 625 E 4 N St. Anthony Idaho. 83445

3. Copies to:

IDWR Document Depository
P.O. 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
P.O. Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf