

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: 29-02379
) STANDARD FORM 1
) OBJECTION
)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Carl and Nola Phillips
Address: 2884 W. 1400 S.
Aberdeen, Idaho 83210
Daytime phone: 208-397-4690

Name and Address of Attorney, if any:
Randall C. Budge
Racine, Olson, Nye, Budge & Bailey Chtd
P.O. Box 1391
Pocatello, Idaho 82304-1391

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

Name: Carl L. and Nola Rae Phillips
Address: 2884 W. 1400 S.
Aberdeen, Idaho 83210

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: See Reasons below
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 OBJECTION(S):

The place of use does not include land in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of section 17 and the W $\frac{1}{2}$ W $\frac{1}{2}$ of section 20, township 7S, range 39E of the Boise Meridian. This property was omitted in the director's report and partial decree by reason of a fence line boundary dispute between the applicant and the neighboring property owners to the East. Applicant is in the process of securing a Boundary Line Agreement with the adjacent owners to permit additional acres and add those acres which have always been possessed, farmed and irrigated by the applicant and predecessors.

Applicant also respectfully requests that the Court continue the hearing set for July 18, 2006 to afford the applicant the time necessary to complete the Boundary Line Agreements.

F. VERIFICATION (must be completed)

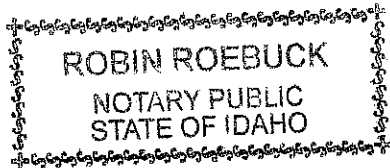
State of Idaho)
County of Bannock ss.

RANDALL C. BUDGE, duly sworn, upon oath, depose and says:

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

Randall C. Budge
RANDALL C. BUDGE

Subscribed and sworn to before me on this 5th day of June, 2006



Robin Roebuck
Notary Public for Idaho
Residing at: Pocatello
My Commission Expires: 8/18/2006

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 parties listed below in the Certificate of Mailing.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of June, 2006 I served a true and correct copy of the above and foregoing document to the following person(s) as follows:

Original to:	☒	U.S. Mail Postage Prepaid
Clerk of the District Court	☐	Hand Delivery
Snake River Basin Adjudication	☐	Overnight Mail
253 Third Avenue North	☐	Facsimile
P.O. Box 2707		
Twin Falls, Idaho 83303-2707		
IDWR Document Depository	☒	U.S. Mail Postage Prepaid
P.O. Box 83270	☐	Hand Delivery
Boise, Idaho 83720-0098	☐	Overnight Mail
	☐	Facsimile
United States Department of Justice	☒	U.S. Mail Postage Prepaid
Environmental & Nat'l Resource Div.	☐	Hand Delivery
550 W. Fort Street, MSC 033	☐	Overnight Mail
Boise, Idaho 83724	☐	Facsimile
Chief, Natural Resources Division	☒	U.S. Mail Postage Prepaid
Office of Attorney General	☐	Hand Delivery
P.O. Box 44449	☐	Overnight Mail
Boise, Idaho 83711-4449	☐	Facsimile
Candice McHugh, Deputy Atty. General	☒	U.S. Mail Postage Prepaid
State of Idaho	☐	Hand Delivery
P.O. Box 83720	☐	Overnight Mail
Boise, Idaho 83720-0098	☐	Facsimile



RANDALL C. BUDGE