

**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

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A. Subcase: 21-0033C
(Insert Water Right Number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Jerry Rigby on behalf of Wilcox Brothers, LLC
Address: PO Box 250 Rexburg, ID 83440
Daytime Phone: (208)356-3633

Name and Address of Attorney, if any:
Jerry Rigby
PO Box 250
Rexburg, ID 3440

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

Name: Claimant, C.O. Jerry R. Rigby
Rigby, Thatcher, Andrus, Rigby & Moeller, Chtd.
Address: P.O. Box 250
Rexburg, ID 83440

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: Wilcox Brothers, LLC
2. X **Source**
 Should be: Fall River
3. X **Quantity**
 Should be: .24 CFS
4. X **Priority Date**
 Should be: 06-01-1891
5. X **Point of Diversion**
 Should be: See Attached Claim
6. ☐ **Instream Flow Beginning and Ending Point**
 Should be:
7. X **Purpose(s) of Use**
 Should be: Irrigation
8. X **Period of Year**
 Should be: 04/01 to 11/01
9. X **Place of Use**
 Should be: See Attached Claim
10. X **I object because:**
 ☐ This water right Should not exist.

 X This water right was not recommended, but Should be recommended
 with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See attached affidavit of Objector

F.

VERIFICATION (must be completed)

STATE OF IDAHO,)

ss

County of Madison.)

Jerry R. Rigby, duly sworn, upon oath, deposes and says:

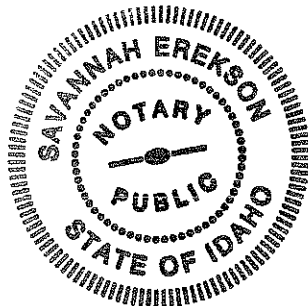
(Name of person filing objection)

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 objections, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn before me on: Sept. 1, 2004



Savannah Erekson
Notary Public for Idaho

Residing at Rexburg

My Commission Expires: 6-24-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filing 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 September 1, 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:

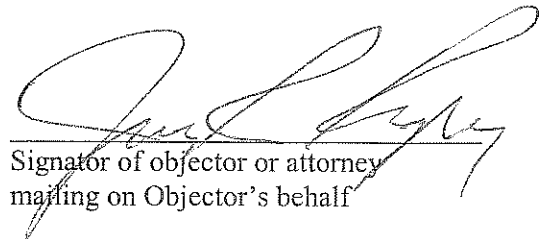
Name: Wilcox Brothers, LLC
Address: C/O Jerry R. Rigby
P.O Box 250, Rexburg, ID 83440

3. Copies to:

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

United States Department of Justice
Environment and Nat'l Resources Div
550 W. Fort Street, MSC 033
Boise, ID 83724

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



Signator of objector or attorney
mailing on Objector's behalf

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

09/01/2006

WATER RIGHT NO. 21-33C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILCOX BROTHERS LLC C/O TERRY WILCOX 1110 GOLDEN BEAUTY DR REXBURG, ID 83440 (208) 356-7563
Original Owner	COLLEEN HARNDEN
Original Owner	HYRUM BROWN 195 KIM WAY CRESCENT CITY, CA 95531
Original Owner	VIRGIL A BLANCHARD BOX 115 CHESTER, ID 83421
Original Owner	COLLEEN BLANCHARD
Original Owner	KRIS V BLANCHARD PO BOX 178 CHESTER, ID 83421 (208)624-3672
Original Owner	MARIE SEELEY
Original Owner	MARY A BLASER 33 S 5TH W REXBURG, ID 83440 (208)356-3284

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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FALL RIVER	HENRYS FORK
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Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.24 CFS	
Total Diversion			0.24 CFS	

Location of Point(s) of Diversion:

FALL RIVER	SWNWSW Lt 5	Sec. 20	Township 08N	Range 42E	FREMONT County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION FREMONT County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	41E	13		NWSW	8		SWSW	37						
		14		NESE	17		NWSE	3		SWSE	11		SESE	40
		23		NENE	39		NWNE	25		SWNE	4		SENE	4
				NWNW	39									

Total Acres: 227

Conditions of Approval:

1.	THIS RIGHT IS A SPLIT OF ORIGINAL DECREED WATER RIGHT 21-00033. DELIVERY THRU CURR DITCH. SEE MAP ATTACHED TO A21-10587. *** CHANGE OF OWNERSHIP FILED JUNE 1999.
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Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information: