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SEP 25 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)

A. Subcase 1-6

(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: American Falls Reservoir District #2

Address: PO Box C

Shoshone ID 83352

Daytime Phone: 208-886-2331

Name & Address of Attorney, if any:

Craig D. Hobdey

PO Box 176

Gooding ID 83330

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

Name: American Falls Reservoir District #2

Address: PO Box C

Shoshone ID 83352

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: See attached (Eagle Decree)
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: Need to add: TWSP 6 South, Range 13 EBM
Section 35: SESE and TWSP 9 South, Range 19 EBM, Section 3:
SWSE, Section 10: NWNE
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 quantity should reflect the language of the Eagle Decree. Place of use should include the above parcels as they have been and are currently irrigated by and included in AFRD#2.

BURLEY IRRIGATION DISTRICT vs HENRY EAGLE

The right to divert as natural flow during each irrigation season under water license No. 15134, having a March 30, 1921 priority as follows: From May 1 of each irrigation season continuing during that season so long as there is natural flow available for the priority, the first 1,700 cubic feet per second of flow to be available one-half ($\frac{1}{2}$) to American Falls Reservoir District No. 2 and one-half ($\frac{1}{2}$) to American Falls Reservoir, except that in any year in which American Falls Reservoir is full to capacity on April 30 or fills after that date, taking into account any water that may be temporarily stored to its credit in upstream reservoirs, all water diverted by American Falls Reservoir District No. 2 within the maximum of 1,700 cubic feet per second during the year prior to the initial storage draft on American Falls Reservoir after the reservoir finally fills in that year shall be considered natural flow under water license No. 15134. Nothing herein shall prevent American Falls Reservoir District No. 2 from diverting water under said license prior to May 1 of a given irrigation season but all such diversions shall be charged as storage in the event the reservoir is not full on April 30 of that season or does not fill after April 30 of that season.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Gooding)

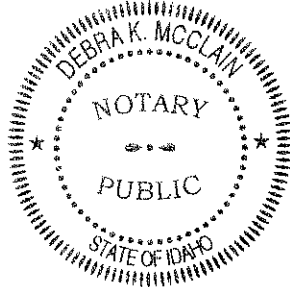
AFRD #2 by Craig D. Hobdey, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

(Signature of person filing objection)

Craig Hobdey
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 9-21-06



Debra K. McClain
Notary Public for Idaho
Residing at: Gooding
My Commission Expires: 10-02-06

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 September 21, 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:

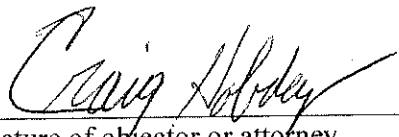
Name: AFRD #2
Address: P.O. Box C
Shoshone, ID 83330

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