

COPY

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OCT 03 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 Number: 01-00028F
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Lands
Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, Idaho 83711-4449
Daytime Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID I. STANISH (ISB # 7310)
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: Monsanto Co
Address: c/o Ray Nelson
PO Box 816
Soda Springs, ID 83276

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: The Point of Rediversion should be None
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: PPU should NOT include T06S R42E S14 SWNW, T06S R42E S14 NWNE, or T06S R42E S14 NESE
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 State of Idaho owns the property where the recommended point of diversion of water right no. 01-00028F is located (T06S R42E S14 SENE). The State of Idaho also owns property subject to the recommended permissible place of use described in water right no. 01-00028F (T06S R42E S14 SWNW, T06S R42E S14 NWNE, and T06S R42E S14 NESE).

The claimant of water right no. 01-00028F, the Monsanto Company, has no right-of-way to use or access the property owned by the State of Idaho for the purposes of exercising its claimed water right. The easement entered into between the State of Idaho and the Monsanto Company, dated May 13, 1969, was forfeited under the terms of the easement.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

DAVID I. STANISH, Deputy Attorney General, duly sworn, upon oath, deposes and says:

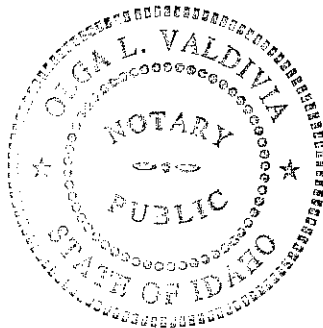
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID I. STANISH
Deputy Attorney General



By Attorney signing in representative capacity

Subscribed and sworn to before me on: 10-2-06
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 09/08/2012

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 October 2, 2006, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

2. One copy to the owner of the water right at the following address:

Monsanto Co
c/o Ray Nelson
PO Box 816
Soda Springs, ID 83276

U.S. MAIL

3. Copies to:

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

STATEHOUSE MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

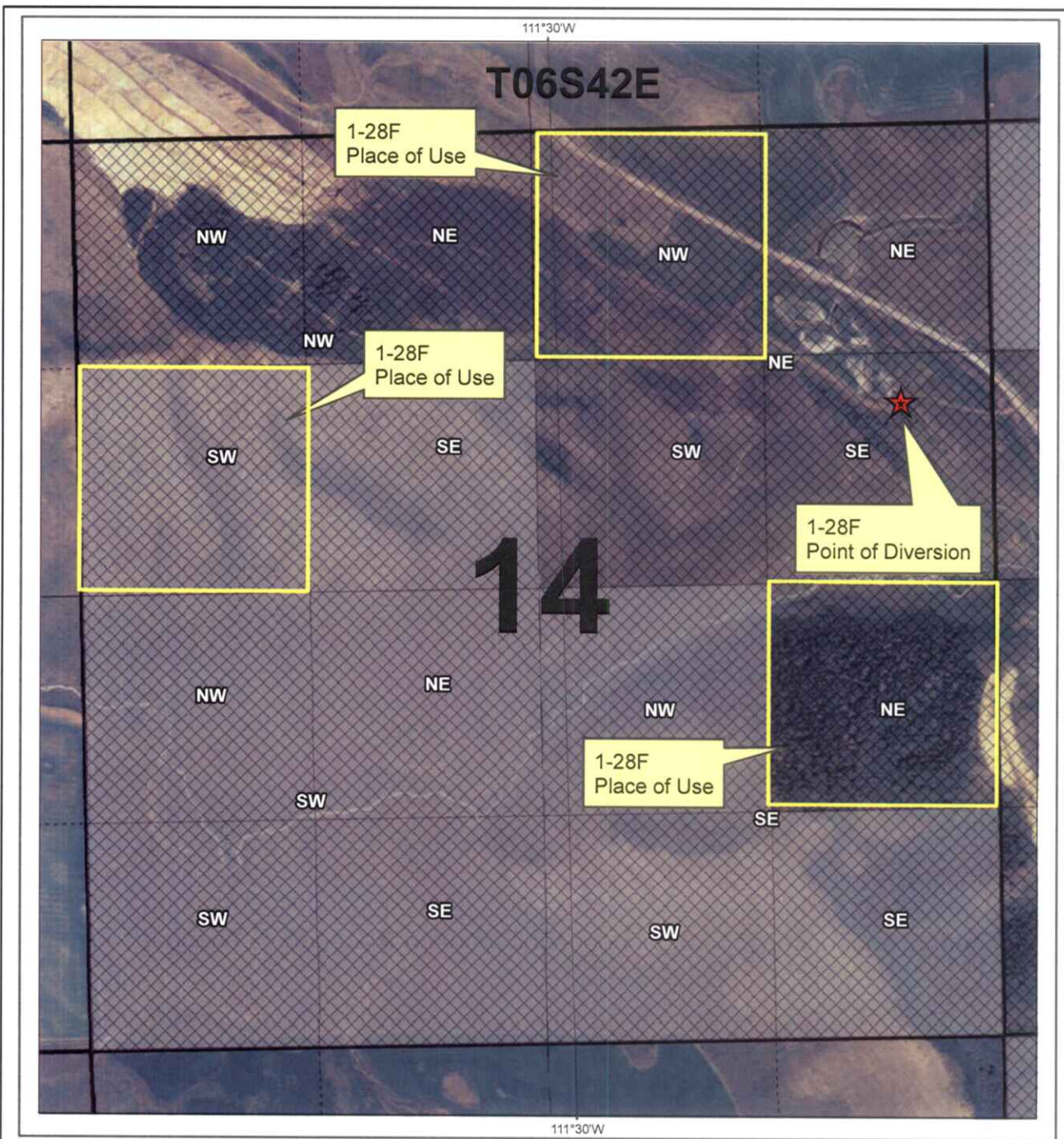
U.S. MAIL

Randall C. Budge
Racine, Olson, Nye, Budge & Bailey Chtd
P.O. Box 1391
Pocatello, ID 82304-1391

U.S. MAIL



Signature of Objector or attorney
Mailing on Objector's behalf



Legend

- ★ Point Of Diversion
- Sections
- Place Of Use
- IDL Ownership
- Government Lots
- Township
- GrazeLeases
- River Channel
- Meander
- Water Bodies
- Leases

Place of Use Basin 01 Part 01

Sequence Number 01-28F
T06S42E - SEC 14

09/19/2006

Scale 1:10,500



Map Notes

Projection: Idaho Transverse Mercator, NAD 27
Map Notes and Data Sources
Place of Use 01-28F Priority Date 02/21/1890
Point of Diversion 01-28F Priority Date 02/21/1890
Idaho Ownership 03/27/1918
Grazing Lease: G-XXXX
State Land SDE DB Accessed 09/19/06
IDWR Directors Report POU & POD
Public Land Survey System (PLSS)

Disclaimer:
This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.

Vicinity Map

