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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. 35976

A. Subcase 1-212

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Mud Lake Water Users, Inc.
Address: c/o Gerald Messerli
1400 E. 1500 N.
PO Box 68
Terreton, ID 83450

Daytime Phone: 208-663-4659

Name & Address of Attorney:

Robert L. Harris
Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130
Idaho Falls, ID 83405-0130

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

Name: North Side Canal Co. Ltd.
Address: 921 N. Lincoln Ave.
Jerome, ID 83338

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: The Director's Recommendation fails to identify and distinguish the water supply associated with this water right. The claimed right is entitled to be filled only by high surface water runoff from snow melt or rain. Its source of supply is not from base flow (groundwater) to the Snake River. Conditions are required to prevent enlargement of the source of supply.

3. ☐ **Quantity**
   Should be: _____

4. ☐ **Priority Date**
   Should be: _____

5. ☐ **Points of Diversion**
   Should be: _____

6. ☐ **Instream Flow Description**
   Should be: _____

7. ☐ **Purpose(s) of Use**
   Should be: _____

8. ☐ **Period of Year**
   Should be: _____

9. ☐ **Place of Use**
   Should be: _____

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): See response to No. 2 above.

VERIFICATION (Must by Completed)

STATE OF IDAHO)
)ss.
County of Bonneville)

Robert L. Harris, duly sworn, upon oath, deposes and says:

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.

Robert L. Harris

Subscribed and sworn to before me this 3rd day of October, 2006.

CHERI VANDERMEULEN NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at: Idaho Falls
My Commission Expires: July 7, 2009

CERTIFICATE OF MAILING

I hereby certify that on the 4 day of October, 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:

   North Side Canal Co.
   c/o Barker Rosholt & Simpson
   113 Main Ave. West, Ste. 303
   Twin Falls, ID 83303-0485

3. Copies to:

   IDWR Document Depository
   P.O. Box 83720
   Boise, ID 83720-0098

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

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

HOLDEN, KIDWELL, HAHN & CRAPO, PLLC

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