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OCT 05 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. 35976

A. Subcase 1-211A

**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: United States of America  
Acting through the Bureau of Reclamation  
Address: Pacific Northwest Region  
1150 N. Curtis Rd.  
Boise, ID 83706-1234

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: The United States can show no beneficial use except through the Minidoka Project. This right should either be vested with Burley and Minidoka Irrigation Districts or be disallowed.
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.

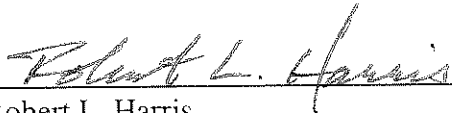
E. **REASONS SUPPORTING OBJECTION(S):** See response to Nos.1 & 2 above.

**VERIFICATION** (Must be Completed)

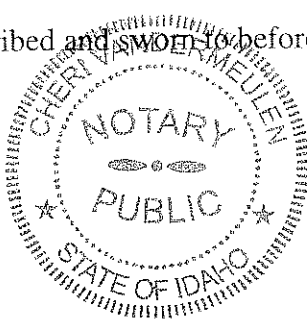
STATE OF IDAHO                    )  
                                              )ss.  
County of Bonneville            )

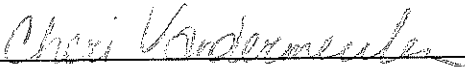
Robert L. Harris, duly sworn, upon oath, deposes and says:

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 3<sup>rd</sup> day of October, 2006.



  
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:

US Bureau of Reclamation  
Pacific Northwest Region  
1150 N. Curtis Rd.  
Boise, ID 83706-1234

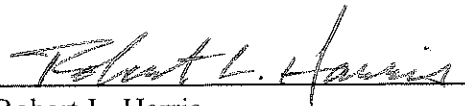
3. Copies to:

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

  
Robert L. Harris