

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 1-2060
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E. Gail McGarry

Name & Address of Attorney, if any:
David W. Gehlert (303 844-1386) Trial Attorney,
Natural Resources Section
Environment and Natural Resource Division
U.S. Department of Justice
1961 Stout Street – 8th Floor
Denver, CO 80294

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

Name: United States of America Acting Through
Regional Director PN Region
Bureau of Reclamation

Address: 1150 N. Curtis Rd. Suite 100
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: As claimed and licensed.
2. ■ **Source**
 Should be: As claimed and licensed.
3. ■ **Quantity**
 Should be: licensed quantity of 240 cfs; not claimed quantity of 270 cfs.
4. ■ **Priority Date**
 Should be: As claimed and licensed.
5. ■ **Point(s) of Diversion**
 Should be: As claimed and licensed.
6. ■ **Instream Flow Description**
 Should be: As claimed and licensed.
7. ■ **Purpose(s) of Use**
 Should be: As claimed and licensed.
8. ■ **Period of Year**
 Should be: As claimed and licensed.
9. ■ **Place of Use**
 Should be: As claimed and licensed.
10. **I object because:**
 ☐ This water right should not exist.
 ☒ This water right was not recommended, but should be recommended with the elements described.

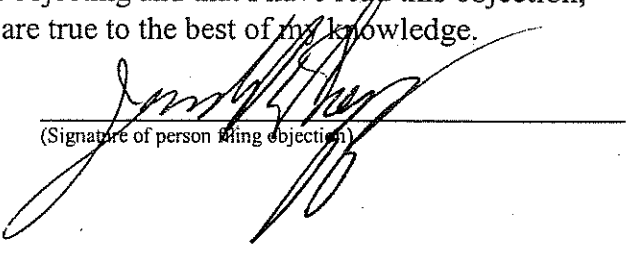
E. REASONS SUPPORTING EACH OBJECTION(S): IDWR issued a license for this water right to the United States on January 14, 1971. There has been no finding of forfeiture or abandonment. IDWR has recommended this water right to A&B Irrigation District as right no. 01-14. The issue of title to water rights held by the United States is currently pending before the Idaho Supreme Court, docket no. 31790. This water right should be decreed to the United States as indicated above with the recognition that the issue of ownership of this water right will be resolved consistent with the ultimate resolution of the aforementioned title litigation.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, 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.

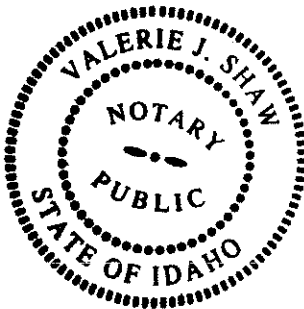

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

10-04-2006

Valerie J Shaw



Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 06-02-2012

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 Oct 5, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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:

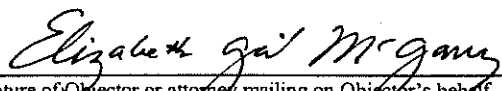
Name: United States of America Acting through
Regional Director PN Region
Bureau of Reclamation
Address: 1150 N Curtis Rd Ste 100
Boise, ID 83706-1234

3. Copies to:

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

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

United States Department of Justice
Environment and Natural Resource Division
Natural Resources Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf