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OCT 10 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 39576

A. Subcase 1-8

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Minidoka Irrigation District

Address: 98 W 50 S

Rupert, ID 83350

Daytime Phone: (208) 436-3188

Name & Address of Attorney, if any:

Kent Fletcher

PO Box 248

Burley, ID 83318

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

Name: Minidoka Irrigation District

Address: 98 W 50 S

Rupert, ID 83350

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: _____
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: _____
10. ☒ **Other Provisions**
Should be: The first paragraph of the other provisions on this recommendation should be deleted.
11. **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 first paragraph of "other provisions necessary for definition or administration of this water right" should be deleted as the provision setting forth that the delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder"

contracts and the two Eagle decrees is ambiguous, appears to place restrictions on this water right that do not exist in other recommended water rights for use of water from the Snake River, and fails to provide any guidance as to how such provisions are necessary for definition or administration of this water right and as such are inconsistent with § 42-1401A(5), Idaho Code. The final two lines of this first paragraph under "other provisions" are also vague, impossible to determine the purpose or meaning, and does not constitute a provision that is necessary for definition or administration of this water right.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Cassia)

W. Scott Fletcher, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

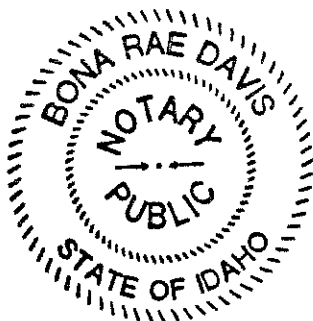
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

W. Scott Fletcher

Attorney signing in representative capacity

Subscribed and sworn to before me on: October 6, 2006



Bona Rae Davis
Notary Public for Idaho
Residing at: Bozeman
My Commission expires: 7/5/2008

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 6, 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

Delivered

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

Name: Minidoka Irrigation District

Address: 98 W 50 S

Rupert, ID 83350

3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MCS 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf