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DEPARTMENT OF
WATER RESOURCES

A

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 No. 1-14

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: HAROLD E. MARLER
Address: 997 So. 2900 E
HAZELTON, ID 83335
Daytime Phone: 208-464-6675

Name & Address of Attorney, if any:

Robert A. Maynard
Perkins Coie LLP
251 East Front Street, Suite 400
Boise, Idaho 83702-7310

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

Name: A & B Irrigation District
Address: P.O. Box 675
Rupert, Idaho 83350-0675

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: Within Lands of Unit A, North Side Pumping Division
Minidoka Project of A & B Irrigation District (see
Attachment).
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): I am a landowner/water user in Unit A entitled to delivery and beneficial use of water under this water right. The Place of Use described in the Recommended Right Report is erroneous because it includes lands within the boundary of the A & B Irrigation District that are not benefited by this right. As noted in the Conditions of Approval, this right is limited to the irrigation of 14,637 acres. The Place of Use set forth herein describes the location of

those 14,637 acres and the enlargement acres with Right Nos. 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241.

F. VERIFICATION

State of Idaho)
: ss.
County of Jerome)

HAROLD E MARLER, duly sworn, upon oath, deposes and says:

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.

Harold E Marler

(Signature of person filing objection)

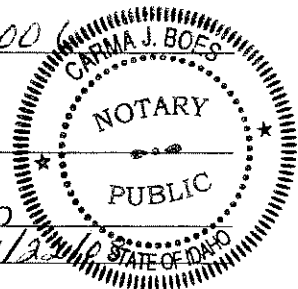
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 4, 2006

Carma J Boes
Notary Public for Idaho

Residing at: Cassia, ID

My Commission Expires: 4/2/08



R 21 E

R 22 E

Green = Unit "A" Boundaries

Red = Lands being irrigated outside the project

Jerome County

Minidoka County

Highway # 25

Alec - 18,000 A

Subd - 457 400 10/4/90

240 1/2

VOL = 514,600 AC-FT / SEASON

INSTRUCTION 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 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 Basis 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: A&B Irrigation District

Address: P.O. Box 675

Rupert, Idaho 83350-0675

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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

Handwritten Signature
Signature of objector or attorney mailing
on Objector's behalf