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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

A. Subcase 75-14338

Case No. 35976

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: Robert B. Archie

Address: 13155 Thomas Creek Rd.

Reno, NV 89511

Daytime Phone: 775-851-3837

Name & Address of Attorney, if any:

Kent W. Foster; Holden, Kidwell, Hahn & Crapo,

PO Box 50130

Idaho Falls, ID 83405-0130

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

Name: Scott Hatch

Address: 55 Becker Rd., (PO Box 1550, Cascade, ID 83611-1550)

Northfork, ID 83466

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. ☐ **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.

**There is really nothing about the water rights of the claimant to which we object; but the right for watering of our property has been omitted. Please see statement below.**

**E. REASONS SUPPORTING OBJECTION(S):** Darrell & Virginia Becker filed a statutory claim, assigned number 75-4362 in 1982 claiming 3.0 cfs from Hughes Creek for irrigation of 64 acres. In 1986, the sold a portion of the irrigated property to Claude & Jeanette Johnson, and in 1987 sold another portion of the irrigated property to Scott Hatch. In 1989 they filed an SRBA

Claim, also numbered 75-4362, but claiming only the portion of the right remaining on the land they still owned, 2.06 cfs for 44 acres. IDWR recommendations 75-14132 (for Johnsons), 75-14338 (for Hatch), and 75-14339 (for Yadons - who bought a piece of the Hatch property) were taken from the Becker claim, rather than from the remainder of 75-4362 left after the sales to Johnsons and Hatch. Beckers both died in the early 1990s and the personal representative of the estates created a small subdivision with five lots, much of which is part of the historic place of use for the statutory claim, 75-4362. Portions of the former statutory claim, specifically the portion not sold by Beckers to Johnsons and Hatch should be available for some of the subdivision lot owners, including claimant, who purchased Lot 5, about 6.5 acres, historically irrigated with water from Hughes Creek. The Archie land, Lot 5, is located in the NWNW and NENW, Sec. 28, T25N., R21E.

**VERIFICATION (Must be Completed)**

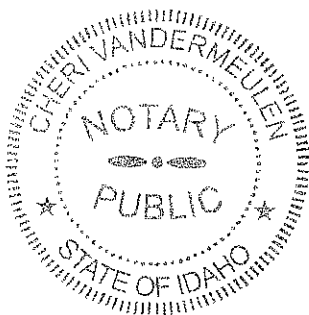
State of Idaho                     )  
                                              )ss.  
County of Bonneville         )

Kent W. Foster, 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.

  
\_\_\_\_\_  
Kent W. Foster, Attorney

Subscribed and sworn to before me on the 30<sup>th</sup> day of January, 2007.



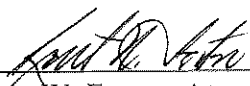
  
\_\_\_\_\_  
Notary Public for Idaho  
Residing at: Idaho Falls, ID  
My Commission Expires: July 7, 2009

G.

CERTIFICATE OF MAILING

I hereby certify that on the 30<sup>th</sup> day of January, 2007, 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 claimants of the water right at the following address:  
Scott Hatch  
PO Box 1550  
Cascade, ID 83611-1550
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  
  
Idaho Department of Water Resources  
Northern Region - ATTN: Ken Knoblock  
1910 Northwest Blvd., Ste. 210  
Coeur D'Alene, ID 83814-2615

  
\_\_\_\_\_  
Kent W. Foster, Attorney

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