

RECEIVED
MAR 19 2007
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. 39576.

Subcase No. 1-00014

**MOTION TO WITHDRAW AND DISMISS
OBJECTION**

The person signing below has determined to withdraw the Objection that the person has filed in this proceeding, a copy of which is attached, and cease to participate as a party in this Subcase. The person signing below moves to withdraw the Attached Objection and terminate their participation as a party in this Subcase.

The person signing below stipulates to dismissal with prejudice in this Subcase of the attached Objection, but without prejudice to any other identical or similar Objection filed by any other party in this Subcase.

**Name And Address Of Person Withdrawing And Stipulating To Dismissal Of Attached
Objection:**

Name: W2G2 Jerry Werner

Address: 10665, 2400E.

Hazelton, Idaho 83335

Telephone: 829-4210

SIGNED: Jerry Werner DATE: March 2, 2007

CERTIFICATE OF MAILING

I certify that on March 16, 2007, I mailed the original and copies of this Motion to Withdraw and Dismiss 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:

A & B Irrigation District
P.O. Box 675
Rupert, ID 83350-0675

3. Copies to:

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

Montview Canal Co.
c/o Robert L. Harris
1000 Riverwalk Dr., Ste. 200
P.O. Box 50130
Idaho Falls, ID 83405

Producers Irrigation Co.
c/o Robert L. Harris
1000 Riverwalk Dr., Ste. 200
P.O. Box 50130
Idaho Falls, ID 83405

Mud Lake Water Users, Inc.
c/o Robert L. Harris
1000 Riverwalk Dr., Ste. 200
P.O. Box 50130
Idaho Falls, ID 83405

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

IGWA, Inc.
c/o Randall C. Budge
201 E. Center, Ste. A2
P.O. Box 1391
Pocatello, ID 83204-1391

Independent Water Users of
c/o Robert L. Harris
1000 Riverwalk Dr., Ste. 200
P.O. Box 50130
Idaho Falls, ID 83405

Jefferson Irrigation District
c/o Robert L. Harris
1000 Riverwalk Dr., Ste. 200
P.O. Box 50130
Idaho Falls, ID 83405

Tim Eilers
1109 W. 300 S.
Heyburn, ID 83336

Blackfoot Irrigation Co.
c/o Jerry R. Rigby
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440-0250

Jerald L. Gochmour
1166 S. 2800 E.
Hazelton, ID 83335

Gary Ottman
2860 E. 1100 S.
Hazelton, ID 83335

Leonard Mills
2705 E. 1100 S.
Hazelton, ID 83335

Brian Carlquist
1050 S. 2400 E.
Hazelton, ID 83335

Kevin D. Anderson
1227 S. 2900 E.
Hazelton, ID 83335

Janice Koehn
1280 Crestview
Hazelton, ID 83335

Mildred J. Meuleman
1184 S. 2800 E.
Hazelton, ID 83335

Marilyn A. Marler
997 S. 2900 E.
Hazelton, ID 83335

Christi Lamun
2689 E. 1200 S.
Hazelton, ID 83335

Fremont-Madison Irrigation
c/o Jerry R. Rigby
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440-0250

United Canal Co.
c/o Jerry R. Rigby
25 N. 2nd E.
P.O. Box 250
Rexburg, ID 83440-0250

Ko Tateoka
1083 Kasota Rd. S.
Hazelton, ID 83335

John Ottman
2900 E. 1071 S.
Hazelton, ID 83335

Lynn R. Carlquist
1092 S. 2500 E.
Hazelton, ID 83335

Randall Koehn
1280 Crestview Rd.
Hazelton, ID 83335

Guy A. Meuleman
1184 S. 2800 E.
Hazelton, ID 83335

Harold Marler
997 S. 2900 E.
Hazelton, ID 83335

Ray A. Young Family Trust
c/o Robert G. Young
1118 S. 2800 E.
Hazelton, ID 83335

Jon M. Lamun
2689 E. 1200 S.
Hazelton, ID 83335

Jan Werner
1030 S. 2900 E.
Hazelton, ID 83335

Jerry J. Werner (W2G2)
1066 S. 2400 E.
Hazelton, ID 83335

Mirla Norwood
1011 S. 2800 E.
Hazelton, ID 83335

Marlin T. & Barbara L. Evans
1080 W. 300 S.
Heyburn, ID 83336

Ted Tateoka
362 S. 1350 W.
Hazelton, ID 83335

Jerry Francisco
167 S. 1250 W.
Heyburn, ID 83336

Mark G. Ottman
1065 Crestview Rd. S.
Hazelton, ID 83335

Ray Goff
1240 W. 100 S.
Paul, ID 83347

Eric Harper
1344 W. 100 S.
Paul, ID 83347

Roy Abo
1261-A W. 100 S.
Paul, ID 83347

Larry Harper
672 W. 100 S.
Paul, ID 83347

Layne Harper
P.O. Box 598
Paul, ID 83347

Mary Lou Ottman
1071 S. 2760 E.
Hazelton, ID 83335

Merrill D. Paslay
1127 S. 2800 E.
Hazelton, ID 83335

Becca Tateoka
362 S. 1350 W.
Hazelton, ID 83335

Rulon Whitesides
1230 W. 400 S.
Heyburn, ID 83336

Hawley A. Harrison, Jr.
450 S. 1250 W.
Heyburn, ID 83336

Roxan Ottman
1065 Crestview S.
Hazelton, ID 83335

Brooks Little
P.O. Box 562
Burley, ID 83318

Steve Muecke
925 W. Wanda Ln.
Heyburn, ID 83336

Martin & Lorraine Meucke
1250 W. 300 S.
Heyburn, ID 83336

Kevin Harper
672 W. 100 S.
Paul, ID 83347


Robert A. Maynard

RECEIVED

OCT 11 2005

DIVISION 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: Jerry J. Werner (W2G2)
Address: 1066 S. 2400 E.
Hazelton, Id. 83335
Daytime Phone: 208-829-4210

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

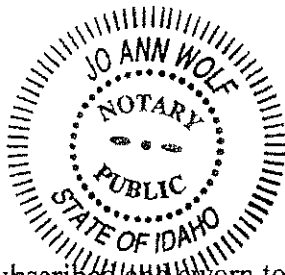
those 14,637 acres and the enlargement acres with Right Nos. 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241.

F. VERIFICATION

State of Idaho)
 : ss.
County of Jerome)

Jerry J. Werner, 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.



Jerry J. Werner
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 5 - 2006

Jo Ann Wolf
Notary Public for Idaho
Residing at: Hazelton, Id
My Commission Expires: 8-20-2011

76703, 76700, 765 = 79

244 22

R 21 E

Green = Unit 11 Boundary

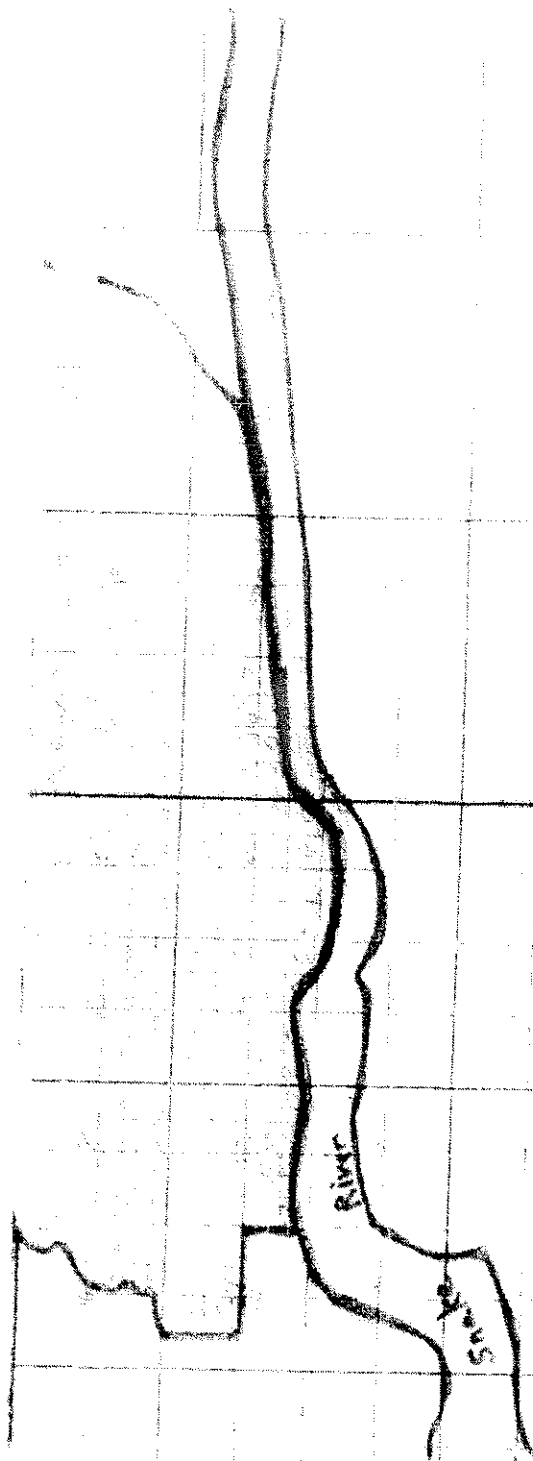
Warren County

Minidoka County

56 ft boundary

1 0 5

1 0 5



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:

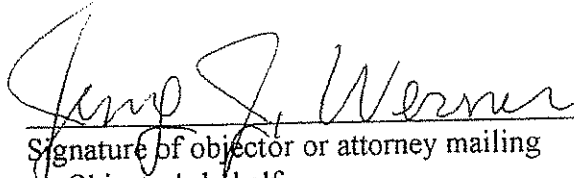
Name: A&B Irrigation District
Address: P.O Box 675
Rupert, Idaho 83350-0675

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


Signature of objector or attorney mailing
on Objector's behalf