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APR 16 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)

A.)

Subcase 37-21423
(Insert water right number)

Case No. 39576)
_____)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Lynn-Bontrager LLC - Carl Bontrager, member
Address: ~~2092~~ PO Box 2092
Ketchum Idaho 83340
Daytime Phone: 208-788-2526

Name & Address of Attorney, if any:

N/A

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

Name: Lynn-Bontrager LLC
Address: PO Box 2092
Ketchum, Idaho 83340

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: Lot 1, Block 1, Sagebrush Subdivision
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 OBJECTIONS(S):** IDWR Form
Was Correct on Preliminary Recommendation but
incorrect on Final Recommendation.
See enclosed Recommendations and letter

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.

County of Baine)

Lynn Bontrager, 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)

member Lynn-Bontrager LLC

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 13, 2007

Pam Williams

Notary Public for State of Idaho

Residing at: Shoshone Idaho

My Commission Expires: May 9 2012

PAM WILLIAMS
NOTARY PUBLIC
STATE OF IDAHO

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 April 13, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Lynn - Bontrager LLC

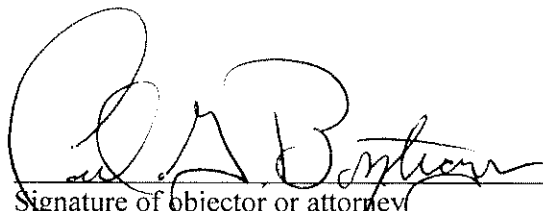
Address: PO Box 2092
Ketchum, Idaho 83340

3. Copies to:

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

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

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


Signature of objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

APR 16 2007
DEPARTMENT OF
WATER RESOURCES

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 21, 2007

CARL BONTRAGER
PO BOX 2092
KETCHUM ID 83340

RE: Questions regarding SRBA recommendations 37-21423, 47-7312A and 37-539G

Dear Mr. Bontrager:

Per our conversation last week, I am enclosing an objection form for Snake River Basin Adjudication claim 37-21423. It was your stated intention to change the condition on the recommendation from "Lot 4, Blk 1, Sagebrush Subdivision" to the correct "Lot 1, Blk 1, Sagebrush Subdivision." For your information, the recommended taxlot is Lot 1, Block 1, but the wording of the condition was incorrect. I apologize for the error in understanding.

Also per our conversation, I am sending you a copy of correspondence from Beverly Fulmore regarding setting aside the partial decree for 47-7312A. As of this time, that is all the information I have regarding this matter.

We spoke about the recommendation for 37-539G in the name of Hyndman Peak Subdivision. You asked for an accounting of acres in each taxlot recommended in the subdivision. I have included a printout of the map with the place of use outlined and the acreage within each taxlot.

If you need anything further, please feel free to give me a call at (208) 287-4907.

Respectfully submitted,

Monica P. Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

11/21/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21423

NAME AND ADDRESS: LYNN BONTRAGER LLC
PO BOX 2092
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 11/26/1886

POINT OF DIVERSION: T03N R18E S20 SESWNW Within BLAINE County ←

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County
T03N R18E S33 NWNW 2.30
2.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-402.

PROPERTY IS ALSO KNOWN AS LOT 1, BLK 1, SAGEBRUSH SUBDIVISION.

Water diverted from Headgate #22 delivered through Hiawatha Canal.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21423

NAME AND ADDRESS: LYNN BONTRAGER LLC
PO BOX 2092
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 11/26/1886

POINT OF

DIVERSION: T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.120 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S33

NWNW

2.30

2.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water diverted from Headgate #22 delivered through Hiawatha Canal.

Property is also known as Lot 4, Block 1, Sagebrush Subdivision.

This right is a split from former right 37-402.

Lot 1