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MAR 30 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

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)

A. Subcase 63-31194B
(Insert water right no.)

Amended
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: L. DARWIN MCKAY

Address: 6100 S. Eagle Road
Meridian, Idaho 83642

Daytime Phone: 208 342-4591

Name & Address of Attorney, if any:

Jon C. Gould
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

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

Name: SUNDANCE INVESTMENTS LTD PARTN

Address: 9100 W. BLACKEAGLE DR
Boise, ID 83709

D. I object to the following elements as recommended in the Director's Report (Please check the Appropriate box(es)).

1. **X** **Name and Address**
 Should be:
2. **X** **Source**
 Should be:
3. **X** **Quantity**
 Should be:
4. **X** **Priority Date**
 Should be:
5. **X** **Point(s) of Diversion**
 Should be:
6. **□** **Instream Flow Description**
 Should be:
7. **X** **Purpose(s) of Use**
 Should be:
8. **X** **Period of Year**
 Should be:
9. **X** **Place of Use**
 Should be:
10. **X** **I object because:**

~~**X** 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): A dispute over a land transfer exists. During the pendency of the dispute the Department should maintain the status quo regarding ownership of the water right. In approving this water right and disapproving water right no. 63-31194A, the Department is making a legal conclusion on whether the land transfer included the water right.

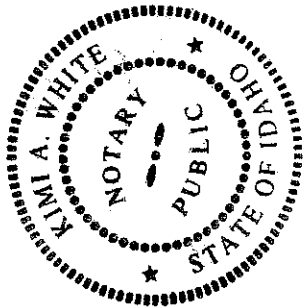
VERIFICATION (must be completed)

State of Idaho)
) ss.
County of Ada)

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.

Jon C. Gould

Subscribed and sworn to before me on: March 29, 2007



 Notary Public for Idaho
 Residing at: Boise, Idaho
 My Commission Expires: 04/01/10

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.

CERTIFICATE OF MAILING

I certify that on March 29, 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: Richard W. Stover
Eberle, Berlin, Kading Turnbos, McKlveen & Jones, Chtd.
Address: PO Box 1368
Boise, ID 83701-1368

Name: SUNDANCE INVESTMENTS LTD PARTN
Address: 9100 W BLACKEAGLE DR
Boise, ID 83709

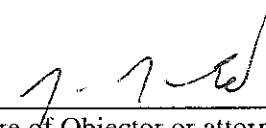
3. Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449

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

Boise, Idaho 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf