

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 39576

A. Subcase 1-211A  
(Insert water right number)

**STANDARD FORM 1  
OBJECTION**

Please fill in the following information:

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

Name: Minidoka Irrigation District

Address: 98 W 50 S  
Rupert, ID 83350

Daytime Phone: (208) 436-3188

Name & Address of Attorney, if any:

Kent Fletcher  
PO Box 248  
Burley, ID 83318

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

Name: United States of America Acting Through Regional Director PN Region

Address: Bureau of Reclamation  
1150 N Curtis Rd, Ste 100  
Boise, ID 83706-1234

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: Minidoka Irrigation District, 98 W 50 S, Rupert, ID 83350
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: The recommendation of a total of 75,093 acres within the boundaries of the Minidoka Irrigation District is correct and the last paragraph under Place of Use in the recommendation limiting the acreage under this right to 56,392 acres was superseded by Foster Decree and should be stricken.
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.
11. ☒ **Remarks:** see reasons below

**E. REASONS SUPPORTING OBJECTION(S):**

This objection to the ownership of this water right is a placeholder pending resolution of the ownership of project water rights currently before the Idaho Supreme Court. The objection to the place of use limitation reflects our understanding of the Foster Decree.

The "Minidoka Credit" remark is unnecessary since the reference to the provision in the Foster Decree has been resolved by agreement amongst the affected water right holders. In addition, the Director has already issued his recommendation for this water right in the Basin 01 Part 1 Report and has no authority to unilaterally change that recommendation by a subsequent report.

F.

VERIFICATION (Must be Completed)

State of Idaho )  
County of Cassia ) ss.

W Kent Fletcher, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

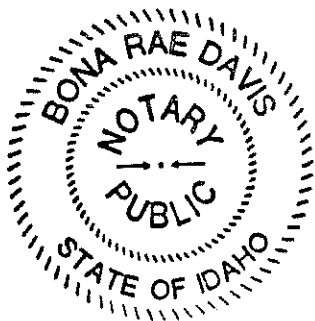
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

W Kent Fletcher

Attorney signing in representative capacity

Subscribed and sworn to before me on: April 18, 2007



Bona Rae Davis  
Notary Public for Idaho  
Residing at: Burley  
My Commission expires: 7/5/2008

## 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 18, 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

*Personal  
Delivery*

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

Name: US BOR  
Address: 1150 N. Curtis Rd Suite 100  
Boise ID 83706

3. Copies to:

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

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

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



Signature of Objector or attorney  
mailing on Objector's behalf