

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

) Subcase No. 1-210  
)  
)  
)

Case No. 39576

) STANDARD FORM 1  
) OBJECTION  
)  
\_\_\_\_\_)

**NAME AND ADDRESS OF PERSON OBJECTING:**

Name: City of Pocatello,  
A municipal corporation  
Address: P. O. Box 4169  
Pocatello, ID 83205

Daytime Phone: 208-234-6149

Name & Address of Attorney, if any:

Josephine P. Beeman, ISB # 1806  
409 W. Jefferson St  
Boise, Idaho 83702  
(208) 331-0950

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

Name: North Side Canal Co Ltd

Address: 921 N Lincoln Avenue  
Jerome, ID 83338

I object to the following elements as recommended in the Director's Report:

- 1 ☐ **Name and Address**
- 2 ☒ **Source**  
Regarding Minidoka Credit Language
- 3 ☒ **Quantity**  
Regarding Minidoka Credit Language
- 4 ☐ **Priority Date**
- 5 ☐ **Point(s) of Diversion**
- 6 ☐ **Instream Flow Description**
- 7 ☐ **Purpose(s) of Use**
- 8 ☐ **Period of Year**
- 9 ☐ **Place of Use**
- 11 **I object because:**
  - ☐ This water right should not exist.
  - ☐ This water right was not recommended, but should be recommended with the elements described above.

**REASONS SUPPORTING OBJECTION(S):**

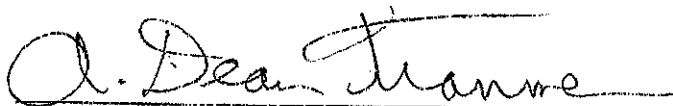
The City of Pocatello has junior priority state-law ground water rights upstream from the Snake River diversions of the Twin Falls Canal Company and the North Side Canal Company. In addition, the City of Pocatello has contractual rights to Snake River storage under the contract it entered into with the U.S. Bureau of Reclamation under Contract No. 14-06-100-1825 dated January 8, 1960. Under the Contract, the City of Pocatello is entitled to 4.1667% of the reservoir capacity of Palisades Reservoir which is 50,000 acre feet at the estimated active capacity of 1,200,000 acre feet. Either as a junior priority ground water user or as an entitled user of storage water, the City of Pocatello is affected by the determination of natural flow and storage water for the Twin Falls Canal Company and the North Side Canal Company under the general provision for the Minidoka Credit Language.

VERIFICATION

State of Idaho                     )  
                                          ) ss.  
County of Bannock                )

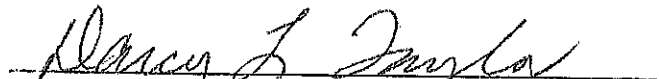
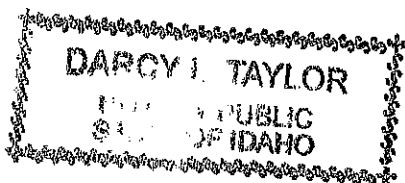
A Dean Tranmer, duly sworn, upon oath, deposes and says:

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



A. Dean Tranmer  
City Attorney  
City of Pocatello

Subscribed and sworn to before me on: April 19, 2007



Notary Public for the State of Idaho  
Residing at: Pocatello, Idaho  
My Commission Expires: 8/12/12

## CERTIFICATE OF MAILING

I certify that on April 19, 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 claimant of the water right at the following address:

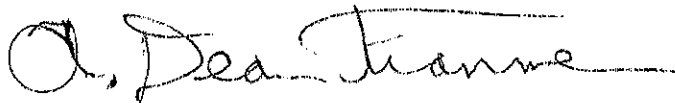
Name: North Side Canal Co. Ltd  
Address: 921 N Lincoln Avenue  
Jerome, ID 83338

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  
Boise, ID 83711-4449

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



A. Dean Tranmer