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MAY 25 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

A: Subcase 22-2183, 22-10483
(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: Kelly Summers

Address: 327 So. 3000 E.

Sugar City, ID 83448

Daytime Phone: (208) 356-5375

Name & Address of Attorney, if any:

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

Name: Frank Summers, Inc.

Address: 327 So. 3000 E.

Sugar, ID. 83448

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(s) of Diversion *2 wells from 22-2219/4091*
Should be: *One and one quarter Mile West.*

6. ☐ Instream Flow Description
Should be: _____

7. ☐ Purpose(s) of Use
Should be: _____

8. ☐ Period of Year
Should be: _____

9. ☐ Place of Use
Should be: _____

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.

E. REASONS SUPPORTING OBJECTION(S): _____

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of Madison)

F. Kelly Summers, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

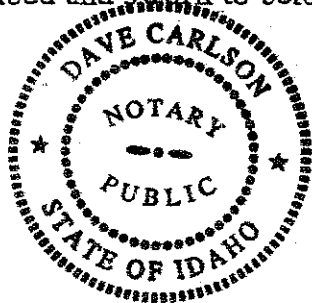
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

F. Kelly Summers
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

5/16/2008



Dave Carlson
Notary Public for IRWR
Residing at: 21684, ID
My Commission Expires: 2/26/2009

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 5/23/07, ~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

X 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: E. Kelly Summers
Address: 327 So 3000 E.
Sugar, ID 83448

3. Copies to:

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

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

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

E. Kelly Summers
Signature of Objector or attorney
mailing on Objector's behalf