

**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 <u>63-00371</u>
	)	(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: Pioneer Irrigation District

Address: PO Box 426

Caldwell Idaho 83606

Daytime Phone: (208) 459-3617

Name & Address of Attorney, if any:

Scott L. Campbell

Moffatt Thomas Barrett Rock & Fields

PO Box 829, Boise, Idaho 83701

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

Name: Pioneer Irrigation District

Address: PO Box 426

Caldwell Idaho 83606

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

1. ☒ **Name and Address** Zip code should be 83606
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use** Please see Attachment 1 hereto.
Should be: _____
8. ☒ **Period of Year** Please see Attachment 1 hereto.
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):

Please see Attachment 2 hereto.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Scott L. Campbell, 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)

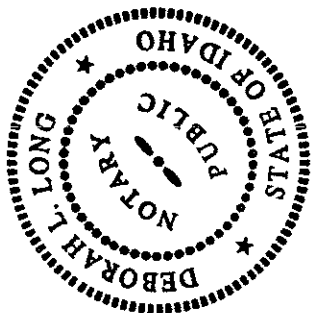
Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/19/07

Deborah Long
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 10/10/07



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 June 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
PO Box 2707
Twin Falls, ID 83303-2707

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

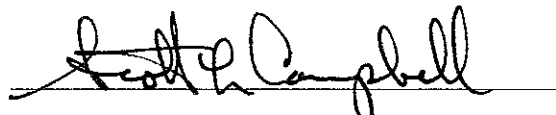
Name: Pioneer Irrigation District
Address: PO Box 426
Caldwell, Idaho 83606

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
PO 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


mailing on Objector's behalf

**ATTACHMENT 1 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-00371**

Pioneer Irrigation District is objecting to inclusion of the following underlined language set forth in the remark under the Purpose and Period of Use element, as reflected on the Director's Report:

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being release for flood control by the Untied States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Luck Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

**ATTACHMENT 2 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-00371**

Reasons Supporting Objection(s)

Name and Address:

The Director's Report incorrectly identifies the zip code as 83605. The correct zip code is 83606.

Purpose of Use and Period of Year:

The remark, as drafted, may allow for the unilateral modification to the Memorandum of Agreement of 1953 and the Water Control Manual of 1985 based upon the passage of future state and federal laws and procedures that may threaten to undermine or abrogate the very purposes (irrigation and flood control) for which these facilities were developed, paid by, and operated for the benefit of the various irrigation entities