

**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 Number: 63-4679
	)		(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: State of Idaho,
Department of Fish and Game
Address: 600 S. Walnut St.
P. O. Box 25
Boise, Idaho 83707
Daytime Phone: (208) 334-3700

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
IRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: STATE OF IDAHO
DEPT OF FISH & GAME
Address: PO Box 25
Boise, ID 836707

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: See Attachment I.
2. ☒ **Source**
Should be: See Attachment I.
3. ☒ **Quantity**
Should be: See Attachment I.
4. ☒ **Priority Date**
Should be: See Attachment I.
5. ☒ **Points of Diversion**
Should be: See Attachment I.
6. ☐ **Instream Flow Description**
Should be: Not applicable.
7. ☒ **Purpose(s) of Use**
Should be: See Attachment I.
8. ☒ **Period of Year**
Should be: See Attachment I.
9. ☒ **Place of Use**
Should be: See Attachment I.
10. ☐ **Other Provisions**
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):

The State of Idaho, Department of Fish and Game, hereinafter "IDF&G," is the owner of the land at the place of use. It has maintained an active program of stocking fish since the 1920's. It would like to retain this use of this reservoir.

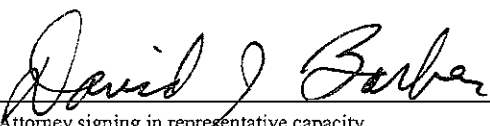
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

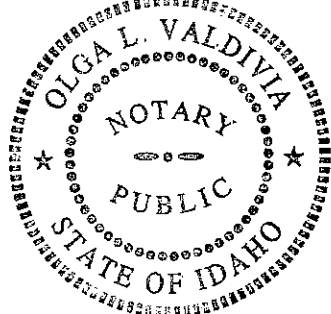
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

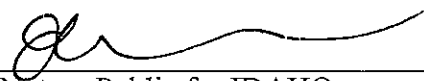
That the State of Idaho, Department of Fish and Game, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Fish and Game, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: June 26, 2007
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

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 26, 2007, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303

U.S. MAIL

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

State of Idaho,
Department of Fish and Game
600 S. Walnut St
P. O. Box 25
Boise, Idaho 83707

STATEHOUSE MAIL

3. Copies to:

Special Master Theodore Booth
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

U.S. MAIL

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

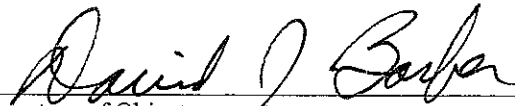
STATEHOUSE MAIL

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

U.S. MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P O. Box 44449
Boise, Idaho 83711-4449

(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf

ATTACHMENT I

RIGHT NUMBER: 63-4679

NAME AND:
ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: INDIAN CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 3000 AFY

PRIORITY
DATE: 01/01/1895

POINT OF
DIVERSION: I01N R04E S29 SWSW Within ADA County
I01N R10E S30 SESE Within ADA County

PURPOSE
AND PERIOD:
OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	3,000 AFY

PLACE
OF USE:

FISH PROPAGATION Within ADA County

I01N R04E S28 NWSW	I01N R04E S28 SWSW		
I01N R04E S29 SWNE			
I01N R04E S29 NWNW	I01N R04E S29 SWNW	I01N R04E S29 SENW	
I01N R04E S29 NESE	I01N R04E S29 NWSE	I01N R04E S29 SWSE	I01N R04E S29 SESE
I01N R04E S30 NENE	I01N R04E S30 SENE		
I01N R04E S32 NENW	I01N R04E S30 NWNW		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use