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AUG 14 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

67-794

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Timothy J. Hols

Address: 3060 Fruitvale-Glendale Rd
Fruitvale, ID 83612

Daytime Phone: 208 253 6961 office M-Thu
4324 home Fri-Sun

Name & Address of Attorney, if any:

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

Name: Timothy J. Hols

Address: 3060 Fruitvale-Glendale Rd
Fruitvale, ID 83612

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**
Should be: _____
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: Acresage is too small

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): see objection
attached page 2a

Standard Form 1 Objection

case no. 39576

subcase 67-794

Attachment to: **E. Reasons Supporting Objection**

I irrigate all 4.59 acres of my property.

The Adams County Assessors Office re-figured my acreage using legal descriptions and ortho photos on 8/9/07 and verified I have 4.59 acres.

The yellow "place of use" area describing irrigated land as 2.8 acres on your aerial photo cuts out fruit trees and a garden that I irrigate. Even with those areas taken out the 2.8 acre figure is wrong - perhaps because the measurement was taken at the edge of the photo where it would be foreshortened.

If you are basing the 2.8 acreage figure on original 19th century use, all of this acreage has been irrigated historically except perhaps for a 75' x 300' x 310' (1/4 acre) area that was above the old ditch in the NW section of my property. If, in fact, you are basing the 2.8 acres on historical use, I have closer to 4.34 acres.

If my objection is denied, or the state chooses not to allow me my full 4.59 acre use, I would appreciate knowing exactly on what basis I am being denied my claim.

thanks,

Tim Hohs

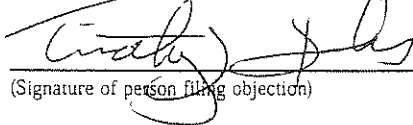
F.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of Adams)

Timothy J. Holt, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

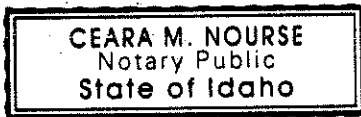
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 13, 2007

Cecilia M. Nourse



Notary Public for IDAHO
Residing at: Mesa
My Commission Expires: 07-13-2013

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 August 13, ²⁰⁰⁷~~199~~, 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:

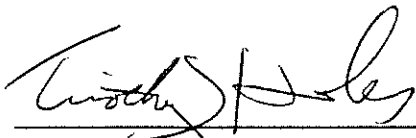
Name: Timothy J. Hols
Address: 3060 Fruitvale-Glendale Rd.
Fruitvale, ID 83612

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



Signature of Objector or attorney
mailing on Objector's behalf