



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

August 1, 2007

LOUIE AND KAREN BANDONI FAMILY TRUST 4-23-04
1436 FRANKLIN RD
MERCED CA 95340

RECEIVED
AUG 17 2007
DEPARTMENT OF
WATER RESOURCES

RE: Points of diversion for SRBA claim 67-100A

Dear Mr. Bandoni:

As part of our objection review process, we have been examining the points of diversion for those water rights that utilize the unique delivery system in which water is diverted from an unnamed stream (tributary to Fall Creek) and injected into the North Fork of Grays Creek where it is carried to a downstream point of re-diversion. Because of this additional review, we believe we made an error in the recommendation of the points of diversion for your SRBA claim.

Currently, the recommended points of diversion are:

T15N R01E	Sec 36	NWNWSW	(Injection)
	Sec 35	SWNESE	(Injection)
	Sec 30	NWSWNW	(Rediversion)

We believe your points of diversion should be recommended as:

T15N R01E	Sec 36	NWNWSW	- remove designation
	Sec 35	SWNESE	(Injection) - no change
	Sec 30	NWSWNW	(Rediversion) - no change

The only change to be made would be to remove the designation of the Section 36 point as an injection and have it classified as a standard point of diversion. If you agree with this change, please complete the enclosed objection form and follow the instructions for filing it. **The deadline for filing an objection is August 22, 2007**, so please file the objection before that date.

For your convenience, I have enclosed a map showing what we believe to be the correct placement of points of diversion for your property. Please contact me at (208) 287-4907 if you have any questions or need any further assistance.

Respectfully submitted,

Monica P. Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

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

67-100A
(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: Louie + Karen Bandoni Family Trust 4-23-04

Address: 1436 Franklin Rd.
Merced Ca. 95340

Daytime Phone: 209-384-2450

Name & Address of Attorney, if any:

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

Name: Louie + Karen Bandoni Family Trust 4-23-04

Address: 1436 Franklin Rd.
Merced, Ca. 95340

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 of Diversion**
Should be: Sec 36 NW1/4SW Remove designation
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **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 OBJECTIONS(S):** See ATTACHED
Sheet

F.

VERIFICATION (must be completed)

State of California)
)ss.
County of Merced)

Louie Bandoni and Karen Bandoni, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

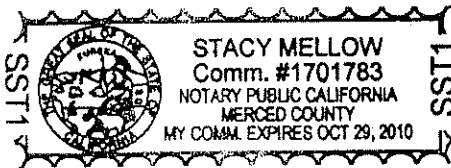
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Louie Bandoni
(Signature of person filing objection)
Karen Bandoni

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 14, 2007



Stacy Mellow
Notary Public for State of California
Residing at: Merced, CA
My Commission Expires: 10/29/2010

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 15, 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:

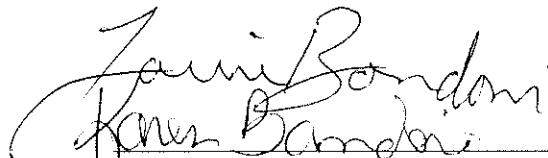
Laure + Karen Bandoni Family Trust 4-23-04
Name: Karen Bandoni
Address: 1436 Franklin Rd
Merced, CA 95341

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf