

RECEIVED

AUG 23 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) Subcase No. 67-4412

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

NAME AND ADDRESS OF PERSON OBJECTING:

Name: City of Weiser
Address: 55 W. Idaho Street
Weiser, Idaho 83672
Daytime Phone: (208) 414-1652

Name & Address of Attorney, if any:

Josephine P. Beeman
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950
(208) 331-0954 (fax)
jo.beeman@beemanlaw.com

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

Name: City of Weiser
Address: 55 W. Idaho Street
Weiser, Idaho 83672

The City of Weiser objects to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: City of Weiser
55 W. Idaho Street
Weiser, Idaho 83672
2. ☒ **Source**
Should be: Weiser River, Tributary to Snake River
3. ☒ **Quantity**
Should be: 0.44 c.f.s.
4. ☒ **Priority Date**
Should be: 06/01/1890
5. ☒ **Point(s) of Diversion**
Should be:

Township	Range	Section	¼ of ¼ of ¼ Lot	County
11N	05W	32	SE SW	Washington
6. ☐ **Instream Flow Description**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: Irrigation
8. ☒ **Period of Year**
Should be: 3/15 to 11/15
9. ☒ **Place of Use**
Should be:

Township	Range	Section	¼ of ¼ of ¼ Lot	Acres
11N	05W	32	SW SW	6 acres
11N	05W	32	SE SW	8 acres
11N	05W	32	NW SW	6 acres
				20 acres total.
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.

REASONS SUPPORTING OBJECTIONS:

This SRBA water claim was disallowed but it should be allowed. This SRBA claim is based on historic water use by the City of Weiser, and the water has been used since June 1, 1890, based on contemporaneous newspaper accounts and Sanborn maps for the City.

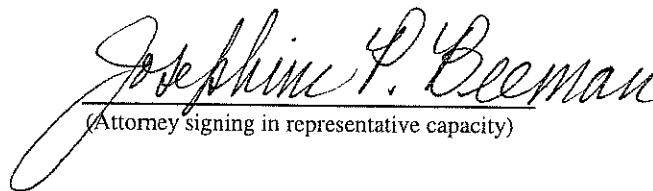
This right should be considered with all of the City of Weiser's water right claims from the Snake River (Basin 03) and Weiser River (Basin 67) drainages. This will facilitate appropriate documentation and remarks regarding the interrelated and combined use of Weiser's surface and ground water rights. The Basin 03 claims for the City of Weiser are: 3-7009, 3-10010, 3-7034, and 3-10198. The Basin 67 claims for the City of Weiser are: 67-2320, 67-4291, 67-4412, 67-10971, 67-10975, and 67-14129.

VERIFICATION

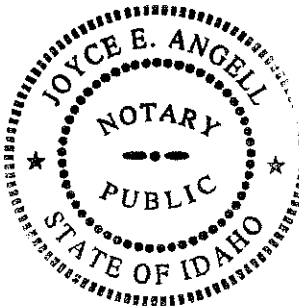
State of Idaho)
) ss.
County of Ada)

Josephine P. Beeman, duly sworn, upon oath, deposes and says:

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.


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 22, 2007




Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: July 29, 2008

CERTIFICATE OF MAILING

I certify that on August 22, 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:

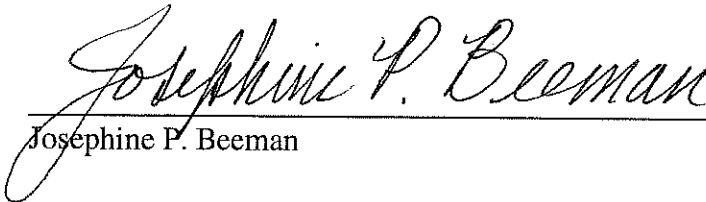
Name: City of Weiser
Address: 55 W Idaho Street
Weiser, Idaho 83672

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
P. O. 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



Josephine P. Beeman