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SEP 19 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 )

A. Subcase 47-38

(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: Aslett Ranches Partnership

Address: PO Box B

Twin Falls, Idaho 83303

Daytime Phone: (208) 734-5533

Name & Address of Attorney, if any:

Scott L. Campbell and Andrew J. Waldera

Moffatt Thomas Barrett Rock & Fields

PO Box 829, Boise, Idaho 83701

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

Name: Aslett Ranches Partnership

Address: PO Box B

Twin Falls, Idaho 83303

**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** Please see Attachment 1 hereto.  
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** Please see Attachment 1 hereto.  
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 1 hereto.

F.

**VERIFICATION** (Must be Completed)

State of Idaho )  
 ) ss.  
County of Ada )

Andrew J. Waldera, 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)

*[Handwritten Signature]*

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 18, 2007

*[Handwritten Signature]*  
Notary Public for Idaho

Residing at: Boise

My Commission Expires: 9/16/09



## 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 September 18<sup>th</sup>, 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:

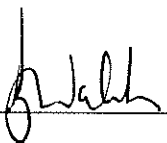
Name: Aslett Ranches Partnership  
Address: PO Box B  
Twin Falls, Idaho 83303

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

  
\_\_\_\_\_  
Andrew J. Waldera

**ATTACHMENT 1 TO STANDARD FORM 1 – OBJECTION  
SUBCASE 47-38**

Aslett Ranches Partnership objects to the following:

Point(s) of Diversion

The Director's Report incorrectly identifies the multiple points of diversions under this water right. The correct points of diversion, based upon historic diversion practices, are as follows:

| TWP | RGE | SEC | 1/4 | 1/4 | 1/4 | Lot | County     |
|-----|-----|-----|-----|-----|-----|-----|------------|
| 15S | 12E | 1   | SW  | SE  | NW  |     | Twin Falls |
|     | 13E | 18  | SW  | NW  | NW  | 1   | Twin Falls |

Place of Use

The Director's Report incorrectly identifies the place of use for irrigation of lands under this water right. The correct, historic place of use is as follows:

| TWP | RGE | SEC | 1/4 | 1/4 | Lot   | Acres |
|-----|-----|-----|-----|-----|-------|-------|
| 15S | 12E | 1   | NE  | NE  | 1     | 9     |
|     |     |     | NW  | NE  | 2     | 33    |
|     |     |     | SW  | NE  |       | 35    |
|     |     |     | SE  | NE  |       | 15    |
|     |     |     | SE  | NW  |       | 8     |
|     |     |     | NW  | SE  |       | 9     |
|     |     |     | SW  | SE  |       | 2     |
|     |     |     | SE  | SE  |       | 18    |
|     |     |     |     |     | Total | 129   |

Aslett Ranches Partnership is further objecting to the inclusion of the following remark as it was not contained in the decree issued in the case of Ira Brackett et al. v. The Cedar Canal Co., et al., under which this water right is based:

This right is limited to the irrigation of 98 acres within the place of use described above in a single irrigation season.