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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 47-11491

(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** Please see Attachment 1 hereto.
Should be: _____
3. ☒ **Quantity** Please see Attachment 1 hereto.
Should be: _____
4. ☒ **Priority Date** Please see Attachment 1 hereto.
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** Please see Attachment 1 hereto.
Should be: _____
8. ☒ **Period of Year** Please see Attachment 1 hereto.
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)

AW

(Attorney signing in representative capacity)

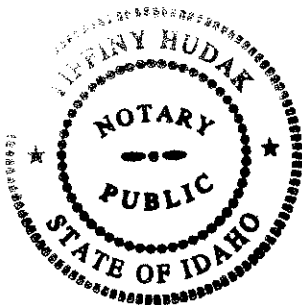
Subscribed and sworn to before me on: September 18, 2007

Tiffany Hudak

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 18th, 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:

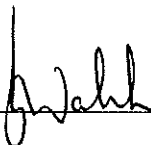
Name: Aslett Ranches Partnership
Address: PO Box B
Twin Falls, Idaho 83303

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 47-11491**

Aslett Ranches Partnership objects to the following:

Source

The Director's Report incorrectly identifies the multiple sources and their tributaries which serve as the points of diversion for this water right. The sources and their respective tributaries should be identified as follows:

Source	Tributary
House Creek	Cedar Creek
Little House Creek	House Creek
Caudle Spring Creek	House Creek
Steele Spring Creek	House Creek

Quantity

The Director's Report reduces the quantity to be appropriated under this water right to 0.630 cfs, which is contrary to the historic diversion under this water right in the amount of 3.50 cfs. The accurate diversion quantity is 3.50 cfs.

Priority Date

The Director's Report recommends a priority date of 12/31/1950, which is contrary to the date when the water appropriated under this water right was first put to beneficial use. The accurate priority date is 9/1/1915.

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	11	SW	NE	SE		Twin Falls
		12	SE	NE	SW		Twin Falls
			NW	SW	SE		Twin Falls
			SE	SW	SE		Twin Falls
		13	NE	NE	NW		Twin Falls
	13E	18	SW	NW	NW	1	Twin Falls
			SW	SE	NW		Twin Falls
			SW	NW	SE		Twin Falls
		19	NE	NE	NW		Twin Falls
			SE	NE	NW		Twin Falls

Purpose of Use and Period of Year

The Director's Report reduces the quantity to be appropriated under this water right to 0.630 cfs, which is contrary to the historic diversion under this water right in the amount of 3.50 cfs. The accurate diversion quantity is 3.50 cfs.

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	SE	NW		3
			NE	SW		18
			NW	SW		8
			SW	SW		25
			SE	SW		19
		2	SE	SE		20
			NE	NE		22
		11	SE	NE		38
			NE	SE		34
			SW	NE		13
			NE	NW		34
			NW	NW		39
			SW	NW		40
			SE	NW		40
			NE	SW		40
			NW	SW		35
			SE	SW		39
		12	NE	SE		1
			NW	SE		34
			SW	SE		36
			SE	SE		20
			NE	NE		18
			NW	NE		2
			NE	NW		9
			SW	NE		3
			NW	NW	1	20
			SW	NW	2	17
	13E	18	SE	NW		16
			NE	SW		20
			SE	SW		8
			NW	SE		5
			NE	NW		4
		19				
					Total	680

Aslett Ranches Partnership is further objecting to the inclusion of the following remarks as neither were 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:

The rights listed below are limited to the irrigation of a combined total of 628.2 acres in a single irrigation season. Combined Right Nos. 47-26, 47-30, 47-40, 47-41, 47-11491, and 47-17417.

This right is limited to the irrigation of 31.4 acres within the place of use described above in a single irrigation season.