

In Re SRBA) A. Subcase 47-7091
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
)

B. NAME AND ADDRESS OF PERSON OBJECTING

Name & Address of Attorney, if any:
John K. Simpson / Travis L. Thompson / Paul L. Arrington
Barker Rosholt & Simpson LLP
P.O. Box 485
Twin Falls, Idaho 83303-0485

DISTRICT COURT - GREATER
TWIN FALLS CO., IDAHO
FILED _____
2007 SEP 14 PM 4 35

Name: Kathy L. Babington
Address: 2849 S 850 E
Hagerman, Idaho 83332

Name: Lynn J. Babington
Address: 2849 S 850 E
Hagerman, Idaho 83332

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: The following remark should be added to clarify the source and explain that it is waste water originating from the diversion and use of water by Twin Falls Canal Company shareholders: "The source of this right is waste water originally diverted by Twin Falls Canal Company. The wasting of water may be discontinued at any time."

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

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): The remark should be included to clarify the source of the water being appropriated under this right. Water resulting from irrigation of Twin Falls Canal Company project lands may be discontinued due to changes in irrigation practices, delivery methods, and/or other actions beyond the control of the Company. The above remark is necessary to notify the claimant and the watermaster that water may not always be available to satisfy the right due to subsequent changes in the Company's delivery of water to its shareholders and/or changes in other operations. Additionally, this remark is necessary due to IDWR's failure to recognize TFCC's water right claim 47-4376.

State of Idaho)
)ss.
County of Twin Falls)

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)

 *Jessica Forbis*
Notary Public for Idaho
Residing at: Twin Falls
My Commission Expires: 4/3/07

G. CERTIFICATE OF MAILING

I certify that on September 14, 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: Kathy L. Babington
Address: 2849 S 850 E
Hagerman, Idaho 83332

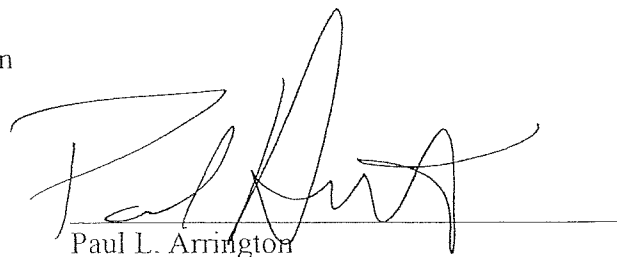
Name: Lynn J. Babington
Address: 2849 S 850 E
Hagerman, Idaho 83332

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



Paul L. Arrington