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SEP 21 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

Case No. 39576

A. Subcase: 47-16845

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street MSC 033
Boise, Idaho 83704

Daytime Phone: (208) 331-5944

Name & Address of Attorney, if any:

David L. Negri

550 West Fort Street MSC 033
Boise, Idaho 83724

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

Name: Joseph E Tugaw

Address: 3277 Woodridge Drive
Twin Falls, ID 83301

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: June 11, 1905. See E below.

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):

Pursuant to the Stipulation and Joint Motion for Order Approving Stipulation, dated August 29, 2002, the United States and Joe Tugaw agreed to the elements of the water right listed on Exhibit F of the stipulation that had not yet been reported at the time of the settlement. This water right claim has been renumbered from 45-12902, which was on Exhibit F, and requires the change identified in Number 4 above in order to comply with the terms of the settlement. In addition this water right is used in conjunction with other water rights, such language normally identified in the quantity element. And there is also language that needs to be added to the "Other Provisions Necessary for Definition or Administration of This Water Right" concerning the Stipulation and Joint Motion.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

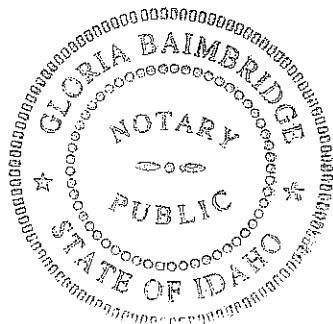
Steven M. Spencer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Steven M. Spencer
(Signature of person filing objection)

David M. [Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 9/18/2007



Gloria Baimbridge

Notary Public for: Idaho
Residing at: Boise, Idaho
My Commission Expires: 10/17/2008

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 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: *Sept. 18, 2007*

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 claimants of the water right at the following address:

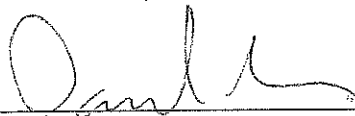
Name: Joseph E Tugaw
Address: 3277 Woodridge Drive
Twin Falls, ID 83301

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