

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 75- 2137
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Erik F. Storlie and Tamara L. Kaiser

Address: 3217 Humboldt Avenue South
Minneapolis, Minnesota 55408

Daytime Phone: 612-822-8555

Name & Address of Attorney, if any:

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

Name: Erik F. Storlie and Tamara L. Kaiser

Address: 3217 Humboldt Avenue South
Minneapolis, Minnesota 55408

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: see addendum
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: see addendum
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: see addendum
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):** _____
see addendum

Addendum to Objection Form, Water Right License 75-2137 – Hat Creek**D.****Objection to #3 Quantity**

should be:

The rights listed below are limited to a total combined diversion rate of

2.64 cfs.

Combined right Nos.: 75-2137, 75-4199, and 75-4200, not the recommended 2.33.

Objection to #5 Point of Diversion

should be:

Keep as recommended: T17N R20E S3 SESWSW Within Lemhi County

Keep as recommended: T17N R20E S8 NWNESE Within Lemhi County

Add – omitted in recommendation: T17N R20E S10 SWSWNW Within Lemhi County

Add – omitted in recommendation: T17N R20E S10 SWSWSE Within Lemhi County

Objection to #9 Place of use:

Should be:

Keep as recommended: SWNW	5.4
Keep as recommended: NESW	0.5
Keep as recommended: SESW	27.0

Add 3.0 acres: NWSW =	11.8
Add 0.4 acres: SWSE =	14.4
Add 0.2 acres: NWNE =	14.2

The combined total of acres irrigated in a single season should be

73.3acres

in Combined Rights nos.: 75-2137, 75-4199, and 75-4200, not the recommended 69.7.

E.**Reasons Supporting Objection to #3 Quantity**

The IDWR recommendations for combined rights 75-2137, 75-4199, and 75-4200 total 2.64 cfs.

Reasons Supporting Objection to #5 Point of Diversion:

The additional two diversions are on the ground, are the earliest on the ranch, and are in use or in lease to the IDWR for bull trout habitat. They have been seen and located by geopositioning by Mr. Bob Foster of the IDWR in August of 2007.

Reasons Supporting Objection to #9 Place of Use:

SWSE

Should be 14.4 based on the IDWR recommendations for Claims 4199 and 4200.

NWNE

Should be 14.2 based on IDWR recommendations for Claims 4199 and 4200

NWSW

Should be 11.8 acres.

The large irrigated field runs further south than shown in the IDWR aerial photograph, which omits 3+ acres that run almost to the southern boundary of NWSW before the terrain drops down into the ravine that holds McGuire Springs. These acres show up clearly on aerial photographs taken when the field was under irrigation.

That large field should be 11.2, not 8.2 acres (the 8.8 acres recommended minus the 0.6 acres recommended by the IDWR in Claim 4200 in NWSW). The 11.2 plus 0.6 gives a total in NWSW of 11.8.

F. VERIFICATION (must be completed)

State of Minnesota)
)ss.
County of Hennepin)

Erik F. Storlie & Tamara L. Kaiser, 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.

Erik F. Storlie Tamara L. Kaiser
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

September 27, 2007



Joseph Winston Struyk
Notary Public for Minnesota
Residing at: Hennepin
My Commission Expires: Jan 31, 2012

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 28 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: Erik F. Storlie and Tamara L. Kaiser
Address: 3217 Humboldt Avenue South
Minneapolis Minnesota 55408

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

Erik F. Storlie
Tamara L. Kaiser
Signature of objector or attorney
mailing on Objector's behalf