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OCT 18 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	)	Subcase No. 75-5
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
_____	)	

NAME AND ADDRESS OF PERSONS OBJECTING

Name: City of Salmon
Address: 200 Main Street
Salmon, Idaho 83467

Daytime Phone: (208) 756-3214

Name & Address of Attorney, if any:

Josephine P. Beeman
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950
(208) 331-0954
jo.beeman@beemanlaw.com

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Idaho Arrowhead Water District
Attn. Robert Kramer
54 Oliver Drive
Salmon, Idaho 83467

I object to the following elements as recommended in the Director's Report.

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: SW SE SW, Section 2, T. 21 N., R. 21 E., B.M. only _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
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.

REASONS SUPPORTING OBJECTION(S):

The City of Salmon respectfully notes that since before November 19, 1987, and continuing, water right 75-5 has historically only been diverted at the above-described point of diversion in Section 2, downstream from the City of Salmon's diversions on Chipps Creek and Pollard Creek.

On April 29, 1994, Idaho Arrowhead Water District previously filed application for transfer no. 4104 at IDWR proposing to change the point of diversion for water right nos. 75-19D and

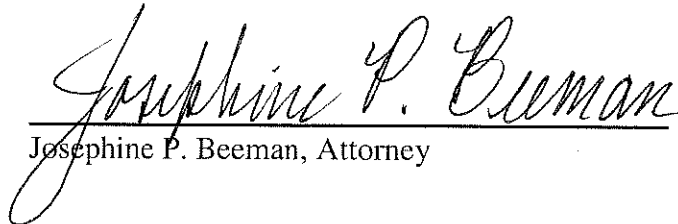
75-21. This transfer was approved on August 20, 1996, moving the point of diversion for these water rights from T21N R21E Section 10 and T21N R21E Section 2 respectively, to T21N R21E Section 11. The City of Salmon participated in transfer no. 4104. Water right 75-5 was not included in this transfer of points of diversion from Section 2 to Section 11. In order for Idaho Arrowhead Water District to claim a point of diversion for 75-5 in Section 11, an application for transfer must first be filed, and then approved by IDWR.

VERIFICATION

State of Idaho)
)ss.
County of Ada)

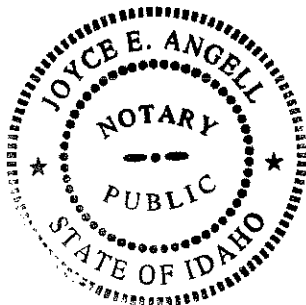
Josephine P. Beeman, duly sworn, upon oath, deposes and says:

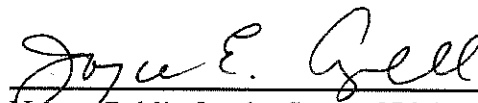
That I am the attorney for the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(i) and (6), and that I have read this objection, know its contents, and believe that the statements are true to the best of my knowledge.



Josephine P. Beeman, Attorney

Subscribed and sworn to before me on: October 17, 2007





Notary Public for the State of Idaho
Residing at: Boise, Idaho
My Commission Expires: July 29, 2008

CERTIFICATE OF MAILING

I certify that on October 17, 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:

Idaho Arrowhead Water District
C/O Kent Foster
P.O. Box 50130
Idaho Falls, Idaho 83405-0130

Jerry Rigby
Rigby, Andrus & Moeller Chtd.
25 N. 2nd East
P. O. Box 250
Rexburg, ID 83440

Idaho Arrowhead Water District
Attn. Robert Kramer
54 Oliver Drive
Salmon, Idaho 83467

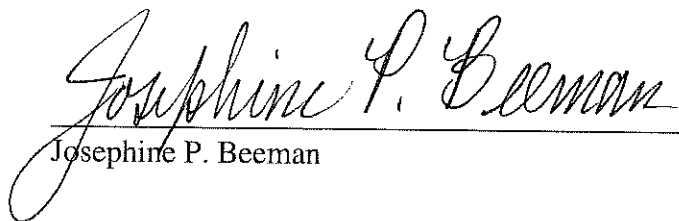
3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

Randall Budge
Racine Olson Nye Budge & Bailey, Chtd
201 E. Center Street
PO Box 1391
Pocatello, ID 83204-1391


Josephine P. Beeman