

Keith E. Hutchinson, Esq.
Patrick D. Brown, Esq.

HUTCHINSON
&
BROWN, LLP

ATTORNEYS AT LAW

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DEPARTMENT OF
WATER RESOURCES

PHONE: (208) 733-9300

WATS: (800) 753-2529

FAX: (208) 733-9343

November 1, 2007

Clerk of District Court
SNAKE RIVER BASIN ADJUDICATION
253 3rd Ave. N.
P.O. Box 2707
Twin Falls ID 83303-2707

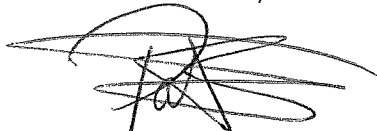
Re: **Hailey Cemetery Maintenance District** - Water Rights
SRBA #39576 / Subcase #37-22019

Dear Clerk:

Enclosed herewith for filing please find STANDARD FORM 1 OBJECTION.

Thank you.

Sincerely,



Patrick D. Brown

/cb
Enc.

cc: ✓ IDWR Document Depository, w/enc.

Natural Resources Div., Idaho Attorney General, w/enc.

Environment & Natural Resource Div., U.S. Dept. of Justice, w/enc.

Hailey Cemetery Maintenance District, w/enc.

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

37-22019

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: HAILEY CEMETERY MAINTENANCE DISTRICT

Address: c/o Patrick Brown, PO Box 207, Twin Falls Idaho 83303-0207

Daytime Phone: 208-733-9300

Name & Address of Attorney, if any:

Patrick D. Brown

Hutchinson & Brown LLP

P.O. Box 207, Twin Falls Idaho 83303-0207

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

Name: HAILEY CEMETERY MAINTENANCE DISTRICT

Address: P.O. Box 207, Twin Falls Idaho, 83303-0207

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: HAILEY CEMETERY MAINTENANCE DISTRICT
2. ☒ **Source**
Should be: groundwater
3. ☒ **Quantity**
Should be: .42 CFS
4. ☒ **Priority Date**
Should be: 08/04/1961
5. ☒ **Point of Diversion**
Should be: SESESW Sec. 10, T2N, R18E, B.M
6. ☒ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: irrigation and municipal
05/15-10/31 for irrigation
8. ☒ **Period of Year**
Should be: 01/01-12/31 for municipal
T2N, R18E Sec. 10 SWSW 11.4 acres
9. ☒ **Place of Use**
Should be: SESW 5
NWSW 3.4 Total 19.8 acres
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):** _____

This water right was established as an irrigation right in 1961, conveyed to the City of Hailey by Warranty Deed #302452, and since the early 1990's, has been used by the Cemetery in place of other City water previously used for these purposes. The City has not claimed it because it believes it then gave the right to the Cemetery. The well report incorrectly identifies the well as being in the extreme NE corner of the NENW of S15, T2N, R18E.

F.

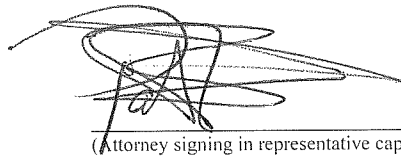
VERIFICATION (must be completed)

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

Patrick D. Brown, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

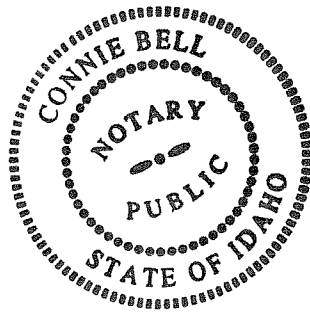
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)



(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Thursday, 11-1-07



Connie Bell
Notary Public for Idaho
Residing at: Twin Falls
My Commission Expires: 11-24-12

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 November 1, 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:

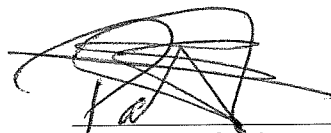
Name: HAILEY CEMETERY MAINTENANCE DISTRICT
Address: P.O. Box 4515
Hailey ID 83333

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