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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 37-2168C

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Chris Flanigan & Jackie Flanigan

Address: HC 64, Box 8028

Ketchum, ID 83340

Daytime Phone: 208-725-5980

Name & Address of Attorney, if any:

Special Water Counsel:

Christopher H. Meyer, Esq.

Michael C. Creamer, Esq.

Givens Pursley LLP

P.O. Box 2720

Boise, ID 83701

Lead Counsel:

Jill W. Eshman, Esq.

J. Eshman Law P.C.

P.O. Box 4991

Ketchum, ID 83340

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

Name: Former Owner: Richard S. Smith & Sherill S. Smith

Address: 535 Madison Avenue, 11th Floor

New York, New York 10022

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: Chris Flanigan and Jackie Flanigan
HC 64, Box 8028
Ketchum, Idaho 83340

2. ☒ **Source**

Should be: Oregon Creek, tributary to sinks. (See discussion in
section "E" below).

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

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: _____

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 OBJECTION(S): Oregon Gulch Creek is physically
separate from the Big Wood River. Oregon Gulch Creek is a "dry creek" and does not
discharge to the Wood River during the irrigation season. Instead, it is tributary to sinks.
Administration of this right historically has been separate from surface rights on the Big
Wood River. This separate administration should be reflected in the general provisions
governing this water right. A Notice of Change of Ownership reflecting objector's legal
title to this recommended claim has been filed with the Department of Water Resources
contemporaneously with this objection.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Christopher H. Meyer, 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 responding 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)

Christopher H. Meyer

(Attorney signing in representative capacity)

Christopher H. Meyer

Subscribed and sworn to before me on: November 12, 2007



Elizabeth T. Hauer-Kilian
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 5-3-2012

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 November 12, 2007, I mailed the original and copies of this response, 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: Chris Flanigan and Jackie Flanigan

Address: HC 64, Post Office Box 8028

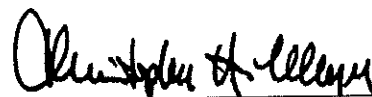
Ketchum, ID 83340

3. Copies to:

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

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

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



Christopher H. Meyer
Signature of Objector or attorney
mailing on Objector's behalf