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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)

A. Subcase 37-4185

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Nick Vanoff Presents, Inc.

Address: P.O. Box 834

Sun Valley, ID 83353

Daytime Phone: _____

Name & Address of Attorney, if any:

Barry Luboviski

P.O. Box 1172

Ketchum, ID 83340

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

Name: Nick Vanoff Presents, Inc.

Address: P.O. Box 834

Sun Valley, ID 83353

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: Nick Vanoff Presents, Inc.
2. ☒ **Source**
Should be: Springs
3. ☒ **Quantity**
Should be: Adequate duty of water for 19.8 acres
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Irrigation, Stockwater
8. ☒ **Period of Year**
Should be: Irrigation 4/15 - 10/31, Stockwater 1/1 - 12/31
9. ☒ **Place of Use**
Should be: 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): Please see attached statement
in support of the above objections.

Supporting Statement
SF-1 Objection
Water Right No. 37-4185

The irrigation portion of this right was recommended for disallowal due to insufficient proof of priority. In fact, water from the springs has been used for irrigation on 19.8 acres east of Broadford Road via a gravity ditch for many years. IDWR field agent Sandy Hemenway verified this usage. Aerial photos submitted with the claim also show the ditch. A 1964 aerial photo showing usage from the spring pond was submitted with a Notice of Error to IDWR on January 19, 2007.

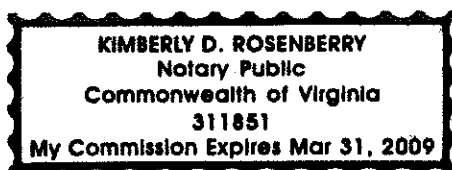
F. VERIFICATION (must be completed)

State of Virginia)
)ss.

County of Fauquier)

Nick Vanoff, 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:

November 9th, 2007
Kimberly D. Rosenberry
Notary Public for self
Residing at: Winchester, Virginia
My Commission Expires: 03/31/2009

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 11/09, 2007 ^{Federal Express} 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:

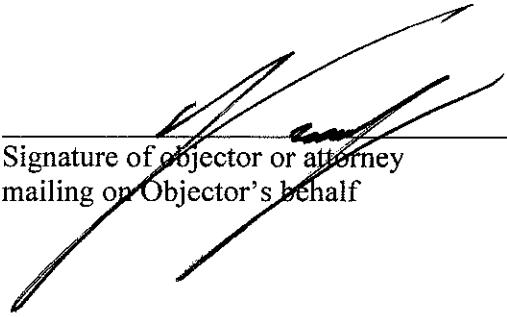
Name: _____
Address: _____

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