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Department of Water Resources
Adjudication Bureau

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 37-00416

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Sinclair Oil Corporation dba Sun Valley Company

Address: P.O. Box 10

Sun Valley, ID 83353

Daytime Phone: (208) 622-2041

Name & Address of Attorney, if any:

Scott L. Campbell / Andrew J. Waldera

Moffatt, Thomas, Barrett, Rock & Fields

P.O. Box 829, Boise, ID 83701-0829

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

Name: Sinclair Oil Corporation dba Sun Valley Company

Address: P.O. Box 10

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: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: See Attachment 1
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: See Attachment 1
8. ☒ **Period of Year**
Should be: See Attachment 1
9. ☒ **Place of Use**
Should be: See Attachment 2
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 Attachment 3.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

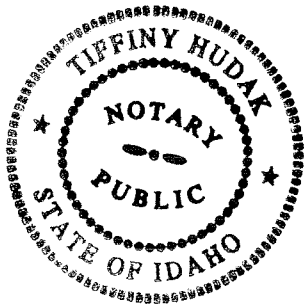
Scott L. Campbell, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Scott L. Campbell
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 13, 2007



Tiffany Hudak
Notary Public for Idaho
Residing at: Boise, ID
My Commission Expires: 9/16/09

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 13, 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: Sinclair Oil Corporation

Address: P.O. Box 10

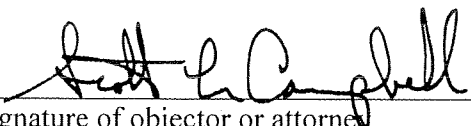
Sun Valley, ID 83353

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

ATTACHMENT 1
STANDARD FORM 1 – OBJECTION
SUBCASE 37-00416

Point of Diversion:

Sinclair Oil Corporation objects to the incorrect identification of the points of diversion. The accurate points of diversion are as follows:

T04N R18E S5 NENW Within BLAINE County
T04N R18E S7 SENE Within BLAINE County

Purpose and Period of Use:

Sinclair Oil Corporation objects to the reduction of the number of days under the period of use element and the reduction of the quantity under each purpose of use, which should read as follows:

<u>Purpose of Use</u>	<u>Period of Year</u>	<u>Quantity</u>
Aesthetic	03/01 12/15	6.50 cfs
Wildlife	03/01 12/15	6.50 cfs
Irrigation	04/01 11/01	6.50 cfs

ATTACHMENT 2
STANDARD FORM 1 – OBJECTION
SUBCASE 37-00416

The Director's Report incorrectly identifies the place of use for irrigation of lands under this water right. The correct, historic place of use is as follows:

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres Claimed
04N	18E	05	NE	NW		.3
			SE	NW		1.4
			NE	SW		1.4
			SW	SW		.8
			SE	SW		.3
		07	SE	NE		1.0
			NE	SE		3.8
		08	NW	NW		0.3
			SW	NW		2.8
			NW	SW		0.4
			NW	SE		0.4

The Director's Report incorrectly identifies the place of use for wildlife under this water right. The correct, historic place of use is as follows:

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres Claimed
04N	18E	07	SE	NE		
			NE	SE		
		08	SW	NW		

The Director's Report incorrectly identifies the place of use for aesthetics under this water right. The correct, historic place of use is as follows:

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres Claimed
04N	18E	07	SE	NE		
			NE	SE		
		08	SW	NW		

Sinclair Oil Corporation also objects to the inclusion of the limiting remark set forth under place of use element, as reflected in the Director's Report:

This right is limited to the irrigation of 12.9 acres within the place of use described above in a single irrigation season.

ATTACHMENT 3
STANDARD FORM 1 – OBJECTION
SUBCASE 37-00416

Reasons Supporting Objection(s):

Point of Diversion:

The points of diversion as recommended are incorrect based upon the historic diversion of water under this right.

Purpose of Use and Period of Year:

The period of use for aesthetic (03/01 through 12/15), wildlife (03/01 through 12/15), and irrigation (04/01 through 11/01), and the claimed quantity of 6.50 cfs for each of aesthetic, wildlife, and irrigation purposes of use should be recommended in full, based upon the historic diversion, delivery, and use of water by Sinclair Oil Corporation.

Place of Use:

The place of use described in the Director's Report does not accurately describe the lands to which water was historically applied under this water right. Additionally, there is no legal basis for inclusion of the acreage restriction remark, as it was not contained in the decree under which this water right is based.