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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 37-4375

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Mary Ellen Drashner and Kathryn Allred Gardner
Address: P.O. Box 1200
Hailey, ID 83333
Daytime Phone: (208) 788-2568

Name & Address of Attorney, if any:
James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

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

Name: Mary Ellen Drashner and Kathryn Allred Gardner
Address: P.O. Box 1200
Hailey, ID 83333

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: Mary Ellen Drashner and Kathryn Allred Gardner, P.O.
Box 1200, Hailey, ID 83333
2. ☒ **Source**
Should be: Cold Springs
3. ☒ **Quantity**
Should be: 1.2 cfs
4. ☒ **Priority Date**
Should be: April 15, 1913
5. ☒ **Point(s) of Diversion**
Should be: NWNESE, S.30, T.4N, R.17E, B.M., Blaine County
6. ☐ **Instream Flow Description**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: irrigation
8. ☒ **Period of Year**
Should be: April 15 to November 1
9. ☒ **Place of Use**
Should be: approximately 25 acres located as shown on attached 2004
aerial photo - **Exhibit 1**

10. **I object because:**

- ☐ This water should not exist.
- ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Cold Springs historically did not flow off of Claimant's property and should be classified as private water. Claimants are descendants of Reuben G. Price who acquired the place of use and other properties in 1913 (see attached copy of Warranty Deed Record - **Exhibit 2**)

F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

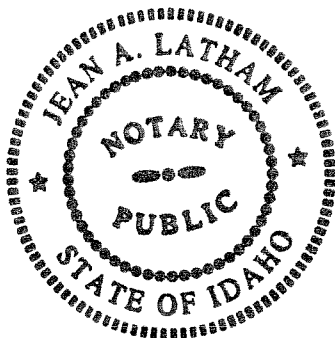
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

J. P. Speck

(Attorney signing in representative capacity)

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



Jean A. Latham
Notary Public for Idaho
Residing at Blaine Co.
My Commission expires 1-25-2013

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 of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 14, 2007, I sent by courier the original and mailed 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
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

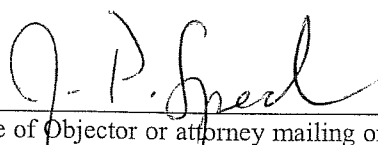
Name: Mary Ellen Drashner and Kathryn Allred Gardner
Address: P.O. Box 1200
Hailey, ID 83333

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
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney mailing on
Objector's behalf

EXHIBIT 1

KATHRYN GARDNER
MARY ELLEN DRASHNER
37-4375 IRRIGATED AREAS



EXHIBIT 2

WARRANTY DEED RECORD

William Johnson and

[illegible]

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SECRET

1. The first group of people who are not in the labor force are those who are not in the labor force for any reason. This group includes people who are not in the labor force because they are not in the labor force for any reason. This group includes people who are not in the labor force because they are not in the labor force for any reason.

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471 in Township Four (4) North of Range eighteen east of the Boise Meridian;

Together with all water and water rights ditches and canals in aridist appropriations to said above described lands.

[illegible]

in the west of our land are found nine hundred and ninety
BETWEEN Willie D. Johnson, and Willage W. Johnson;
her husband of Blaine County, Idaho;

Neuborn G. Price of the same place
the part is of the first part and

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and other consideration, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, conveyed, released, affirmed and confirmed, and by these presents do grant, convey, release, affirm and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described to wit, to wit: Five and sixths interest in the following described to wit, to wit: Three acres 50 or parcel 80 of land, situated in the County of Madison and State of Indiana, being:

The Southeast quarter of the Northeast quarter and the East Half of the Southeast quarter, of Section thirty

The Southeast quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter and the Northeast quarter of the Southwest quarter of Section

the Southeast quarter of the Northwest quarter and the Northwest quarter of the

TOUCH UP with oil and sand in a bucket or a can, apply liberally to the joints of the engine, especially the main bearings, at the first start after the engine has been overhauled. This will prevent the oil from becoming too thick and sticky, and will also prevent the oil from becoming too thin and watery. It will also prevent the oil from becoming too thick and sticky, and will also prevent the oil from becoming too thin and watery.

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STANDARD AND DELIVERED IN PRESENCE OF

[illegible]

County of _____ ss. _____ day of _____ 19____.

_____ before me, _____ a Notary Public in and for said County, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____ 19____.

Notary Public in and for said County.

authority in the salmon industry, and acknowledged to me that they wanted the same and the same thing as I had, although described as a statistical measure. Upon an examination it showed the fishing of the salmon was about 100,000 fish per year, which was very close to what I had estimated.

under her acquainted with the contents of the Instrument and therefore she acknowledged to me that she was acquainted with the contents of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, on the day and year in this certificate above recited.

STATE OF UTAH,
 HANDE
 County of }
 J. J. McEdden, a Notary Public
 Lillie D. Johnson and William W. Johnson
 are }
 subscribed to the within instrument and acknowledged to me that
 they } created the same.
 On this } 8th } day of } July } 19 } 09 } before me
 in and for said county, personally appeared
 known to me to be the person, a whose name