

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 No. 37-416

Case No. 39576)

STANDARD FORM 1
OBJECTION

_____)
Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING:

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris
c/o Concerned Water Users
P.O. Box 1200
Bellevue, ID 83313

Big Wood Canal Company
112 South Apple Street
Shoshone, ID 83352

Name and Address of Attorney, if any:

Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701
Telephone: (208) 336-0700
Attorney for O'Gara, Stevenson,
Molyneux, Van Der Meulen, Eakin,
Sherbine & Bashaw

Craig Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330
Telephone: (208) 934-4420
Attorney for Big Wood Canal Company

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

Name: Sinclair Oil Corp. DBA Sun Valley Co.
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 boxes):

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☒ **Quantity**
Should be: See remark below.
4. ☐ **Priority Date**
Should be: .
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: Limited to original claimed acreage of 115 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 OBJECTION(S):

Combined use of this right along with other rights from the same place of use should be limited to one inch or 0.02 cfs per acre, rather than the quantities in the recommendation. Total volume of water delivered to this property from all water rights shall not exceed 3.5 AF per acre. Under Idaho Code 42-1501, aesthetic, wildlife and recreation are not beneficial uses authorized by the Idaho legislature or Constitution to be held in the name of private entities. If such uses are allowed, the right cannot carry a priority date earlier than the first date that the legislature authorized that beneficial use to be held by a private party.

Tom O'Gara

Big Wood Canal Company

John F. Stevenson

Bill Molyneux

Pete Van Der Meulen

Grace Eakin

Rocky Sherbine

Gerald Bashaw

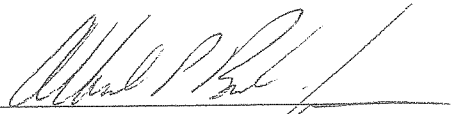
Pepin Corso-Harris

By:



Albert P. Barker, Attorney

By:



Craig Hobdey, Attorney

F.

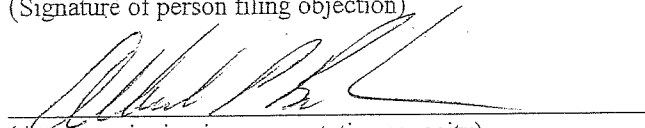
VERIFICATION

State of IDAHO)
) ss.
County of Ada)

Albert P. Barker, 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, and I have been expressly authorized to sign this objection on behalf of the attorney for Big Wood Canal Company.

(Signature of person filing objection)



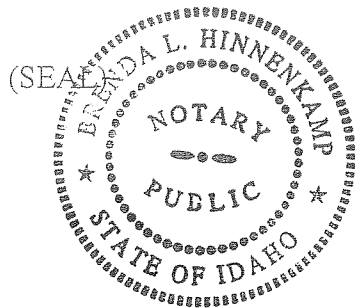
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 14, 2007

Brenda L. Hennrikamp

Notary Public for: Idaho

Residing at: Boise



My Commission Expires: 9/2008

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.

CERTIFICATE OF MAILING

I certify that on November 14, 2007, I hand-delivered and mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original hand-delivered to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Sinclair Oil Corp. DBA Sun Valley Co.
Address: P.O. Box 10
Sun Valley, ID 83353

3. Copies mailed to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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

