

**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	<u>37-296B</u>
	)			(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: Indian Creek Ranch Owners Association, Inc.
Address: P.O. Box 3411
Hailey, Idaho 83333
Daytime Phone: (208) 788-9887

Name & Address of Attorney, if any:

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

Name: Indian Creek Ranch Owners Association, Inc.
Address: P.O. Box 3411
Hailey, Idaho 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: _____
2. ☒ **Source**
Should be: Indian Creek and Indian Springs
3. ☒ **Quantity**
Should be: 6.72 cfs with 37-21412 or even more; more than 122.50 AFY; remarks should be deleted.
4. **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: Section 23 PODs may need to be in the SWNW; and additional points of diversion, including, without limitation: NENW27, SWNW27, NESE28 (2), SWSE28, NWNE33, SENW33.
6. ☒ **Instream Flow Description**
Should be: NENW Section 4, T2N, R18E; NENW Section 23, T3N, R18E (stockwater).
7. ☒ **Purpose(s) of Use**
Should be: Wildlife, Recreation, Aesthetics and stockwater in addition to irrigation.
8. ☒ **Period of Year**
Should be: Wildlife, Recreation, Aesthetics and stockwater – year round.
9. ☒ **Place of Use**
Should be: at least 200 irrigated acres based on 1988 SRBA claim, historical practices and any resumption

11. I object because:

This water right should not exist.

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

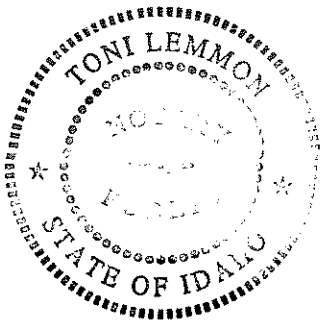
- E. REASONS SUPPORTING OBJECTION(S):** Uses and points of diversion should be recommended as claimed based on usage as of 1987. A pending transfer will add other points of diversion as necessary. Quantity possibly should be 6.72 cfs or even more based on measurements of Indian Creek and the Frost Decree's terms. All flows of Indian Creek and Springs except for 2.62 cfs under 37-296A should be recommended. Acreage was historically used for hay pasture, was claimed in 1988 in the SRBA and resumption acres. Any volume limitation should be in terms of volume "at the field headgate." This has been standard IDWR protocol. Two PODs in Section 23 are very near the 40-line, inconsistency between recommendation PODs and the GIS map.

F. VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Blaine)

Dennis Kavanagh, President, 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.



Dennis Kavanagh
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

11-13-2007
Toni Lemmon
Notary Public for Idaho
Residing at: Ketchum
My Commission Expires: 7-31-2009

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 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:*

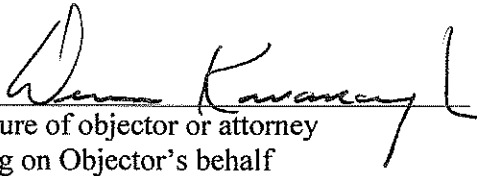
Name: N/A
Address: _____

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