

COPY

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 02-10209

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Mark McDonough

Address: P.O. Box 74

Melba, ID 83641

Daytime Phone: (208) 495-9801

Name and Address of Attorney, if any:

Bruce M. Smith

Carl J. Withroe

Moore Smith Buxton & Turcke, Chartered

950 West Bannock Street, Suite 520

Boise, ID 83702

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

Name: Mark McDonough

Address: P.O. Box 74, Melba, ID 83641

**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: The condition of approval regarding the diversion rate limitation is in error. Please see Condition E52.
- ☐ 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: \_\_\_\_\_
- ☐ 8. **Period of Year**  
Should be: \_\_\_\_\_
- ☐ 9. **Place of Use**  
Should be: \_\_\_\_\_
- ☐ 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):** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

F.

VERIFICATION (must be completed)

State of IDAHO)  
) ss.  
County of ADA)

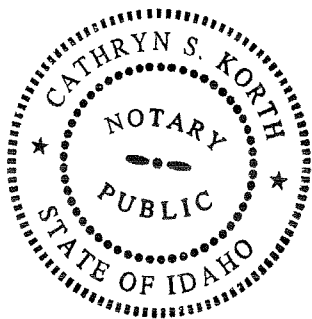
CARL J WITHRDE, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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)

Carl J Withrde  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 12/4/07



Cathryn Korth  
Notary Public for State of Idaho  
Residing at: Nampa, Idaho  
My Commission Expires: 3-6-2012

G.

CERTIFICATE OF MAILING

I certify that on December 4, 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: Mark McDonough  
Address: P.O. Box 74  
Melba, ID 83641

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 the Attorney General  
PO Box 44449  
Boise, ID 83711-4449



Signature of objector or attorney  
mailing on Objector's behalf