

**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: 73-12080**

**STANDARD FORM 1  
OBJECTION**

\_\_\_\_\_  
Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street MSC 033  
Boise, Idaho 83724

Daytime Phone: (208) 342-7741

Name & Address of Attorney, if any:

David L. Negri

550 West Fort Street MSC 033  
Boise, Idaho 83724

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

Name: Ted L O Neal  
Debbie A O Neal

Address: 81 Furey Ln  
May, ID 83253

**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: R22E. See E below.

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: R22E. See E below.

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):**

The places of use in the NWSW, SWSW and SESW Sec 15, T14N, R23E, as shown on the Directors Report recommendation are on National Forest System (NFS) land. The claimants are not authorized to occupy and use NFS land for this purpose. It appears that the ranges throughout the legal descriptions of the points of diversion and places of use of this recommendation need to be changed from **R23E** to **R22E** to coincide with the layout map prepared by IDWR for this recommendation.

F.

**VERIFICATION** (must be completed)

State of Idaho                    )  
                                          )ss.  
County of Ada                    )

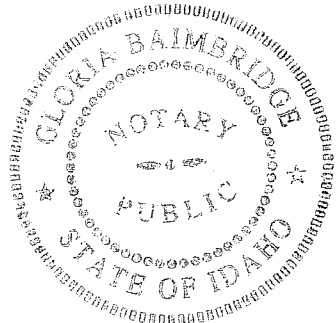
Steven M. Spencer, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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.

Steven M. Spencer  
(Signature of person filing objection)

David Noyri  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: **DEC 14 2007**



Gloria Baimbridge

Notary Public for: Idaho

Residing at: Boise, Idaho

My Commission Expires: **OCT 17 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.

### G. CERTIFICATE OF MAILING

I certify that on December 14, 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 claimants of the water right at the following address:

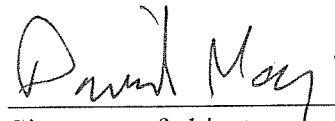
Name: Ted L O Neal  
Debbie A O Neal  
  
Address: 81 Furey Ln  
May, ID 83253

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



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Signature of objector or attorney  
mailing on Objector's behalf