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DEPARTMENT OF
WATER RESOURCES

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

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A. Subcase 73-12110

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Flying Joseph Ranch LLC
Address: c/o Judy Galfano
7213 Perimeter Rd. South
Seattle, WA 98108
Daytime Phone: (800) 946-4538

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: Flying Joseph Ranch LLC
Address: c/o Judy Galfano
7213 Perimeter Rd. South
Seattle, WA 98108

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: Flying Joseph Ranch, LLC, c/o Judy Galfano, 7213 Perimeter Rd. South, Seattle, WA 98108.
2. ☒ **Source**
Should be: Big Creek
3. ☒ **Quantity**
Should be: 40 cfs
4. ☒ **Priority Date**
Should be: August 1, 1920
5. ☒ **Point(s) of Diversion**
Should be: NE1/4NW1/4, Section 13, T.13N., R.23E., B.M., Custer County; injection at SE1/4SW1/4, Section 27, T.13N., R.23E., B.M., Custer County; redirection at SW1/4NE1/4SW1/4, Section 20, T.13N., R.23E., B.M., Custer County.
6. ☐ **Instream Flow Description**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: Irrigation
8. ☒ **Period of Year**
Should be: April 1 to October 31
9. ☒ **Place of Use**
Should be: Add approximately 385 acres in the locations depicted on Exhibit A and include all of the areas highlighted in tan on the same date.
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): See Exhibit A and Affidavit of Garth Chivers attached as Exhibit B.

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: December 18, 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 December ~~19~~¹⁸, 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:

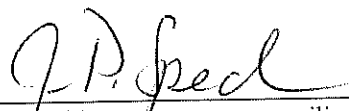
Name: Flying Joseph Ranch LLC
Address: c/o Judy Galfano
7213 Perimeter Rd. South
Seattle, WA 98108

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

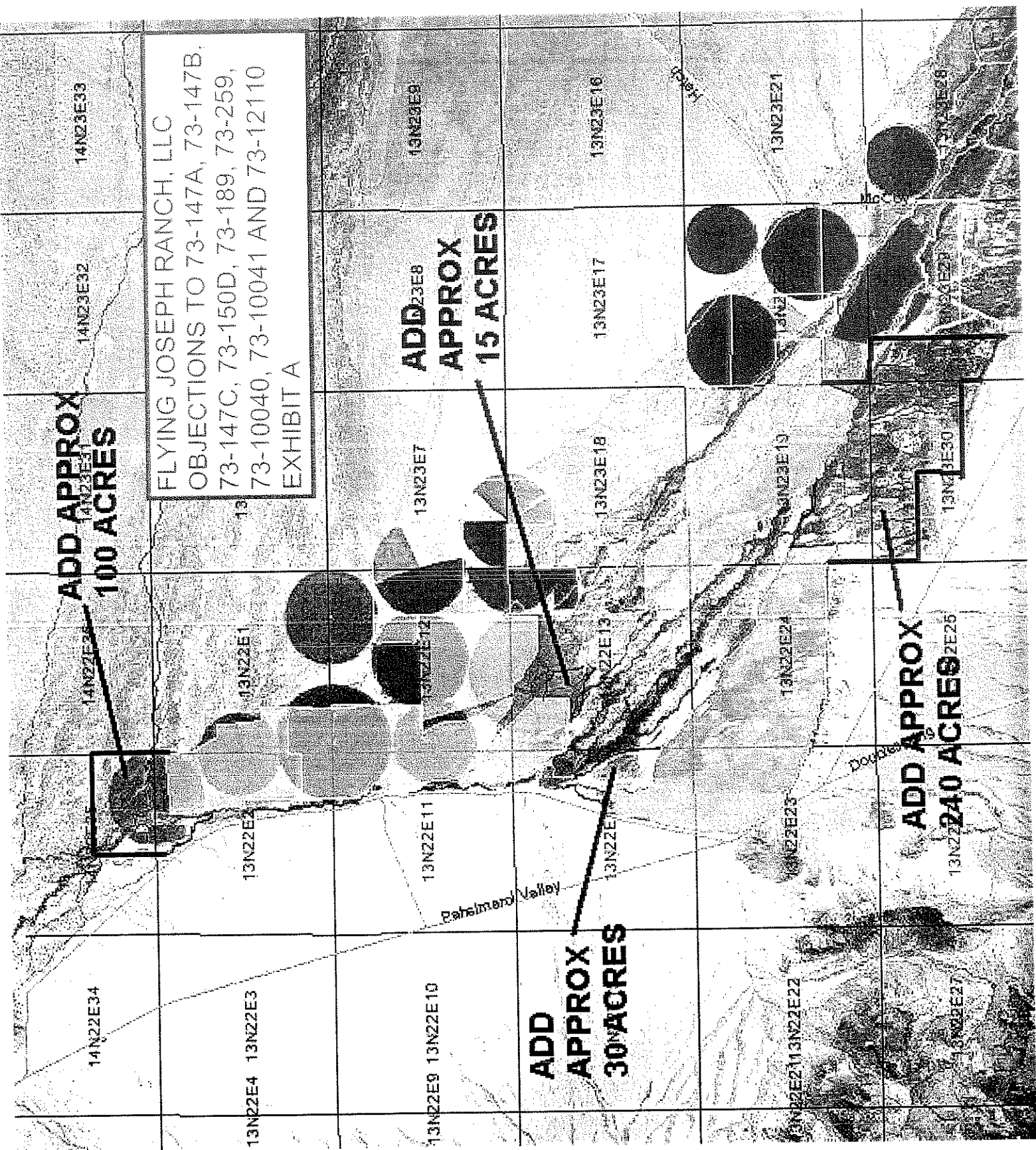


EXHIBIT A

AFFIDAVIT

STATE OF Idaho)
County of Blaine) ss.

_____ being first duly sworn upon oath, deposes and states as follows:

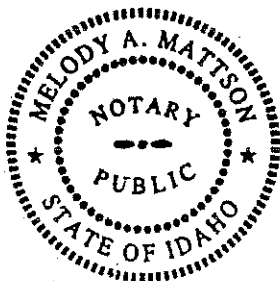
1. Garth Chivers, was a part owner and manager of the Pines Grazing Assoc from April 1969 to 1997. As manager of the ranch I used approximately 2,000 inches of water to irrigate. The water I used on this water right came from Big Creek diversion which flowed into Goldberg creek. We pulled the 2,000 inches from Goldberg Creek for our use to irrigate. To my knowledge the diversions had not changed and we used this water annually without interruption through the sale of the property in 1997.

Regarding water right #73-2126A

FURTHER YOUR AFFIANT SAITH NOT.

Garth Chivers

SUBSCRIBED AND SWORN to before me this 22 day of June, 2005.



Melody A. Matt
Notary Public for Idaho
Residing at: Blaine, ID
My commission expires: 4-3-2009

EXHIBIT B
OBJECTION TO 73-12110