

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

2007 DEC 17 PM 2 07

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DEC 19 2007

DEPARTMENT OF
WATER RESOURCES

Subcase 73-187A

STANDARD FORM
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Old Corrals and Sagebrush LLLP
Address: 435 S. Fitness Place
Eagle, ID 83616
Daytime Phone: (208) 893-5333

Name & Address of Attorney, if any:

Jay J. Kiiha
Capitol Law Group, PLLC
1010 W. Jefferson St.
Boise, ID 83617

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

Name: Old Corrals and Sagebrush LLLP
Address: 435 S. Fitness Place
Eagle, ID 83616
Daytime Phone: (208) 893-5333

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. XX **Source**

Should be: Hill Creek sometimes is referred to as Hillside Creek. Conditions of Approval E52 should not list or combine right 73-10047 as it is a separate right and priority tied exclusively to Hillside Creek.

3. XX **Quantity**

Should be: The language in both recommendations for 73-187A and B should reflect the intent and language of Transfer 814, which states that right 73-187B may divert 2.0 cfs from the point of diversion (Big Gulch) **only after** 73-187A first receives its full allotment of 2.5 cfs from Hillside Creek and Graves Springs combined. Alternately, 73-187B may also divert 2.0 cfs from the point of diversion if the combined amounts from all three sources are greater than 4.5 c.f.s.

As a secondary matter, (conditions of approval E52) Right 73-10047 is a separate right and should not be included as part of 73-187A's total allocation of water under the same.

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. XX **Period of Year**

Should be: As per historical use (April 1 to Nov. 1) or otherwise consistent with all other irrigation users in the basin.

9. XX **Place of Use**

Should be: Place of use should remain as stated in the original claim. Total acres combining all rights (73-187A, 73-188A, 73-2038, 73-10047) should be 754 acres. Conditions of Approval E56 should list 754 acres as opposed to 670 acres. Please refer to attached map.

10. ☐ **I object because:**

☐ This water right Should not exist.

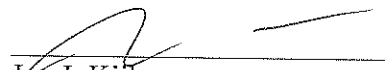
- ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Refer to limited power of attorney on file with IDWR, relation back file and attached map

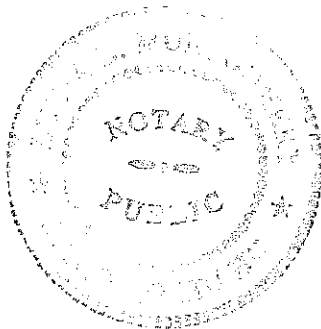
F. VERIFICATION (must be completed)

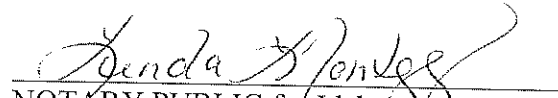
State of Idaho)
)ss.
County of Ada)

Jay J. Kiiha, 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.


Jay J. Kiiha
Capitol Law Group, PLLC

SUBSCRIBED AND SWORN to before me this 13th day of December 2007.




NOTARY PUBLIC for Idaho
Residing at: Boise, Idaho
My Commission Expires: 11-15-08

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 12/17, 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:

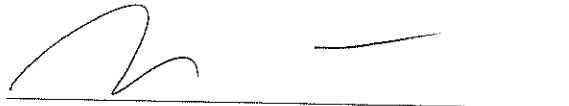
Name: _____
Address: _____

3. Copies to:

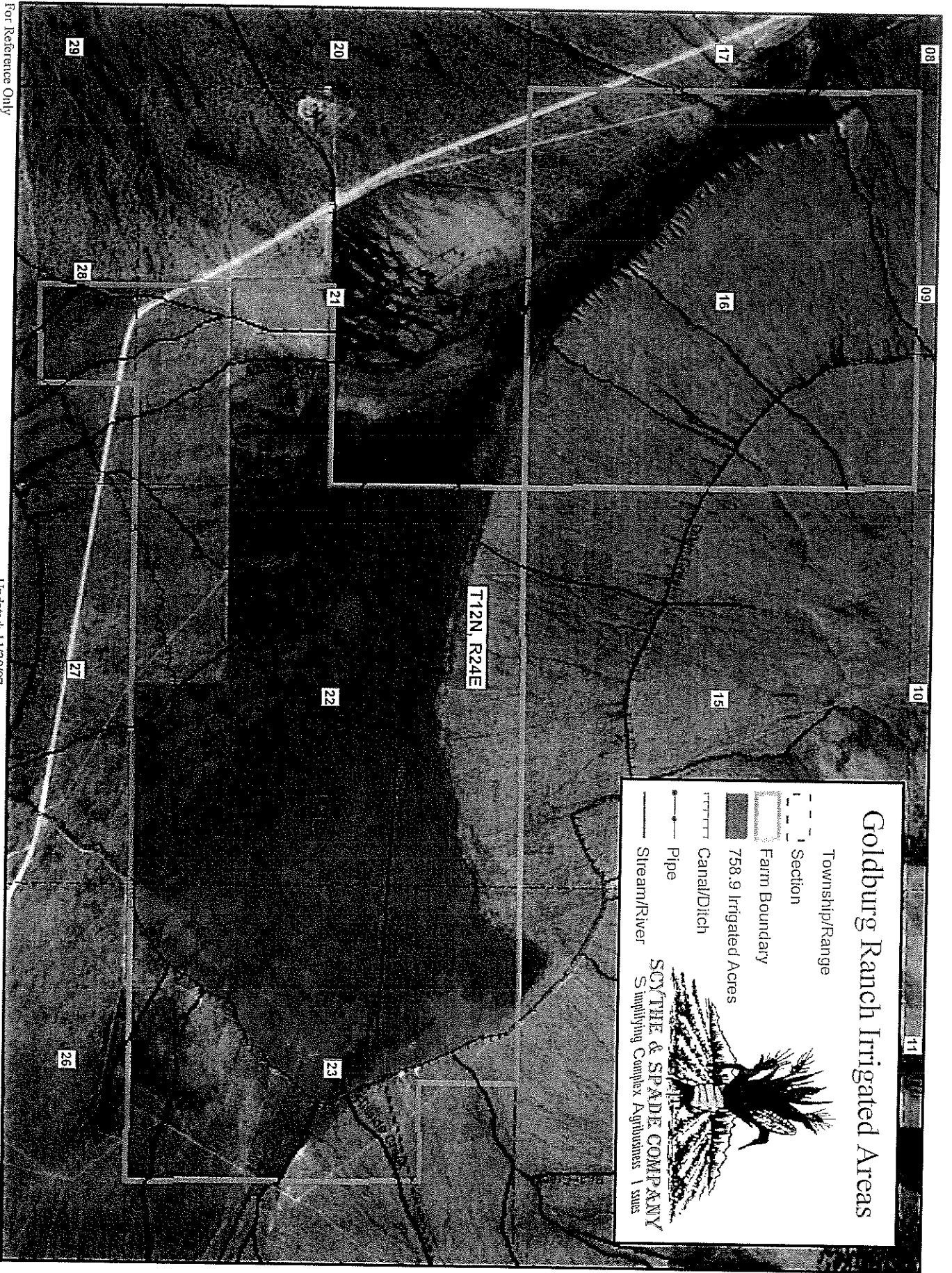
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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



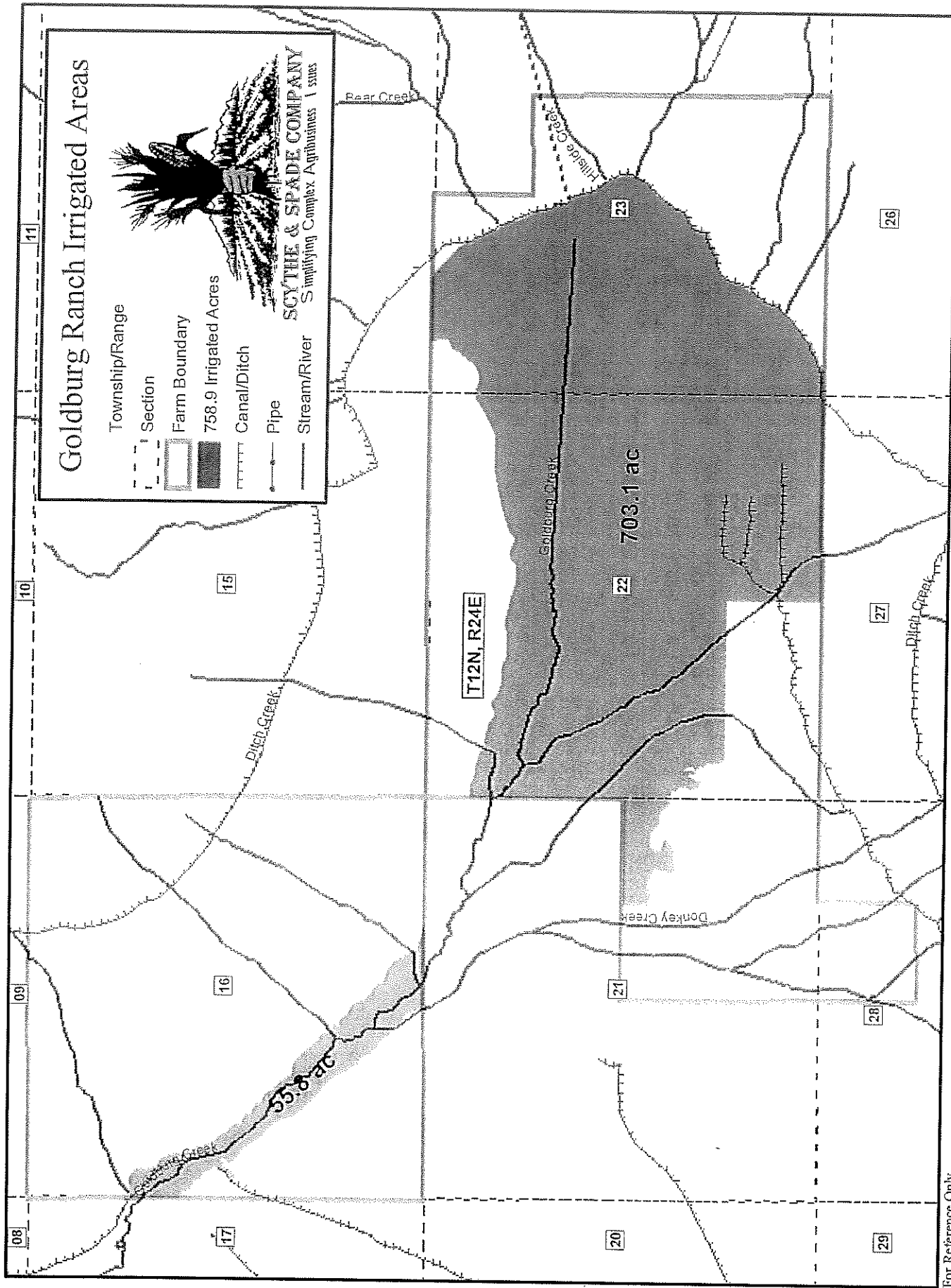
Signature of objector or attorney
mailing on Objector's behalf



For Reference Only

Updated: 11/29/07

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