

980111
FEB 1
1998

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 75-14339

Case No. 35976

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Robert B. Archie

Address: 13155 Thomas Creek Rd.

Reno, NV 89511

Daytime Phone: 775-851-3837

Name & Address of Attorney, if any:

Kent W. Foster; Holden, Kidwell, Hahn & Crapo,

PO Box 50130

Idaho Falls, ID 83405-0130

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

Name: Steven M. Yadon & Kimberly C. Yadon

Address: PO Box 85

Northfork, ID 83466

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. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
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.

There is really nothing about the water rights of the claimant to which we object; but the right for watering of our property has been omitted. Please see statement below.

E. REASONS SUPPORTING OBJECTION(S): Darrell & Virginia Becker filed a statutory claim, assigned number 75-4362 in 1982 claiming 3.0 cfs from Hughes Creek for irrigation of 64 acres. In 1986, the sold a portion of the irrigated property to Claude & Jeanette Johnson, and in 1987 sold another portion of the irrigated property to Scott Hatch. In 1989 they filed an SRBA

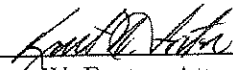
Claim, also numbered 75-4362, but claiming only the portion of the right remaining on the land they still owned, 2.06 cfs for 44 acres. IDWR recommendations 75-14132 (for Johnsons), 75-14338 (for Hatch), and 75-14339 (for Yadons - who bought a piece of the Hatch property) were taken from the Becker claim, rather than from the remainder of 75-4362 left after the sales to Johnsons and Hatch. Beckers both died in the early 1990s and the personal representative of the estates created a small subdivision with five lots, much of which is part of the historic place of use for the statutory claim, 75-4362. Portions of the former statutory claim, specifically the portion not sold by Beckers to Johnsons and Hatch should be available for some of the subdivision lot owners, including claimant, who purchased Lot 5, about 6.5 acres, historically irrigated with water from Hughes Creek. The Archie land, Lot 5, is located in the NWNW and NENW, Sec. 28, T25N., R21E.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

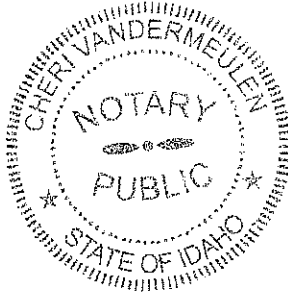
Kent W. Foster, duly sworn, upon oath, deposes and says:

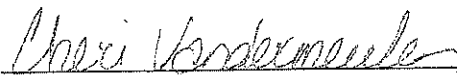
That I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Kent W. Foster, Attorney

Subscribed and sworn to before me on the 30th day of January, 2007.





Notary Public for Idaho
Residing at: Idaho Falls, ID
My Commission Expires: July 7, 2009

G.

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of January, 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
P.O. Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimants of the water right at the following address:
Steven M. & Kimberly C. Yadon
PO Box 85
Northfork, ID 83466
3. Copies to:
IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Idaho Department of Water Resources
Northern Region - ATTN: Ken Knoblock
1910 Northwest Blvd., Ste. 210
Coeur D'Alene, ID 83814-2615



Kent W. Foster, Attorney

G:\WPDATA\KWP\2481 Becker\Objection, 75-14339 wpd