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APR 28 2008

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

)
) A. Subcase: See Attachment A
)
) STANDARD FORM 1
) OBJECTION
)

B. NAME AND ADDRESS OF PERSON(S) OBJECTING:

Name: American Falls Reservoir District #2
Address: 112 S. Apple St.
Shoshone, ID 83352

Name and Address of Attorney:

Attorney Name: C. Tom Arkoosh
Attorney Address: Capitol Law Group, PLLC
Post Office Box 32
Gooding, ID 83330
Attorney Phone: (208) 934-8872

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

Name: Fremont-Madison Irrigation District
Address: PO Box 15
St. Anthony, ID 83445

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: ____

OBJECTION

3. X **Quantity**
 Should be: ____

4. X **Priority Date**
 Should be: ____

5. X **Point(s) of diversion**
 Should be: ____

6. ☐ **Instream Flow Description**
 Should be: ____

7. X **Purpose(s) of Use**
 Should be: ____

8. X **Period of Year**
 Should be: ____

9. ☐ **Place of Use**
 Should be: ____

10. ☐ **Remarks**
 Should be: ____

11. **I object because:**

 X This water right should not exist. (Irrigation storage component)

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

E. REASONS SUPPORTING OBJECTION(S): No information has been provided to support the claim of an accomplished transfer of the Point of Diversion, Purpose of Use, and Place of Use. The claim for “irrigation storage” and the season of use appears to be an impermissible expansion of the original irrigation water right.

 To the extent the water rights are not conditioned or subordinated to other storage water rights in Water District 01 existing as of the date of the alleged “accomplished transfer”, that portion of the claim should be dismissed.

F.

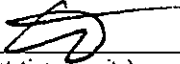
VERIFICATION (Must be Completed)

State of Idaho)
County of Gooding) ss.

C. TOM ARKOOSH, 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.

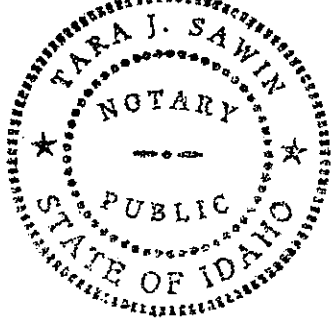
(Signature of person filing objection)



(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 25, 2008





Notary Public for Idaho

Residing at: Meridian, Id

My Commission Expires: 8/17/13

CERTIFICATE OF MAILING

I certify that on April 25, 2008, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant and parties who filed the objections at the following address:

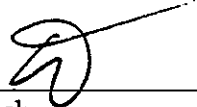
Name: Fremont-Madison Irrigation District
Address: PO Box 15
St. Anthony, ID 83445

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 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 & Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



C. Tom Arkoosh

ATTACHMENT A

21-24A
21-26A
21-27A
21-120A
21-121A
21-122A
21-123A
21-124A
21-125A
21-126A