

JUL 28 2008

Martin & Lorraine Muecke
1250 W. 300 S.
Heyburn, Idaho 83336

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Subcase No. : 1-00014

**MOTION TO WITHDRAW AND
DISMISS OBJECTION**

I, the undersigned, am requesting that my Objection (attached) filed October 6, 2006, be withdrawn and dismissed, and that my participation as a party in this Subcase proceeding be terminated with prejudice.

Dated: July 25, 2008

Martin Muecke
Lorraine Muecke
Martin & Lorraine Muecke

CERTIFICATE OF MAILING

I certify that on the 25 day of July, 2008, I caused a true and correct copy of the foregoing document to be sent to the following person(s) by U.S. Mail:

Jerry R. Rigby
P.O. Box 250
Rexburg, ID 83440

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

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

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P.O. Box 485
Twin Falls, ID 83303-0485

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Kittredge Building
511 16th St., Ste. 500
Denver, CO 80202

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Pocatello, ID 83201

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Rancine, Olson, Nye, Budge & Bailey, Chtd.
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P.O. Box 176
Gooding, ID 83330

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American Falls, ID 83211

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Rupert, ID 83350

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925 W. Wanda Ln.
Heyburn, ID 83336

Bret Andersen
Robyn Andersen
322 E. Main
Burley, ID 83318

E. Gail McGarry
United States, Department of Interior
Bureau of Reclamation
1150 N. Curtis Rd., Ste. 100
Boise, ID 83706-1234

W. Kent Fletcher
P.O. Box 248
Burley, ID 83318

Robert A. Maynard
Perkins, Coie, LLP
251 E. Front St., Ste. 400
Boise, ID 83701-7310

(Certificate of Mailing continued)

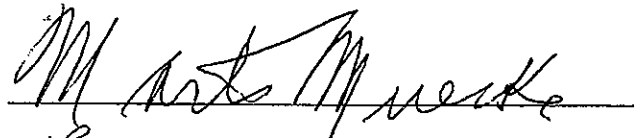
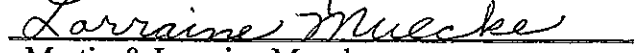
William A. Parsons
Parson, Smith & Stone, LLP
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P.O. Box 32
Gooding, ID 83330



Martin & Lorraine Muecke

DISTRICT COURT - 5th JUD
TWIN FALLS CO., IDAHO
FILED _____

A

2005 OCT 6 PM 1 03

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 No. 1-14

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Martin or Lorraine Muecke

Address: 1250 W 300 S

Heyburn, Idaho 83336

Daytime Phone: 208-438-5649

Name & Address of Attorney, if any:

Robert A. Maynard

Perkins Coie LLP

251 East Front Street, Suite 400

Boise, Idaho 83702-7310

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

Name: A & B Irrigation District

Address: P.O. Box 675

Rupert, Idaho 83350-0675

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: _____
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: Within Lands of Unit A, North Side Pumping Division
Minidoka Project of A & B Irrigation District (see
Attachment).
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):** I am a landowner/water user in Unit A entitled to delivery and beneficial use of water under this water right. The Place of Use described in the Recommended Right Report is erroneous because it includes lands within the boundary of the A & B Irrigation District that are not benefited by this right. As noted in the Conditions of Approval, this right is limited to the irrigation of 14,637 acres. The Place of Use set forth herein describes the location of

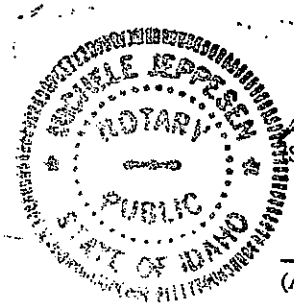
those 14,637 acres and the enlargement acres with Right Nos. 1-10225, 1-10237, 1-10238, 1-10239, 1-10240, and 1-10241.

F. VERIFICATION

State of Idaho)
 : ss.
County of Minidoka

Martin Muecke, 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.

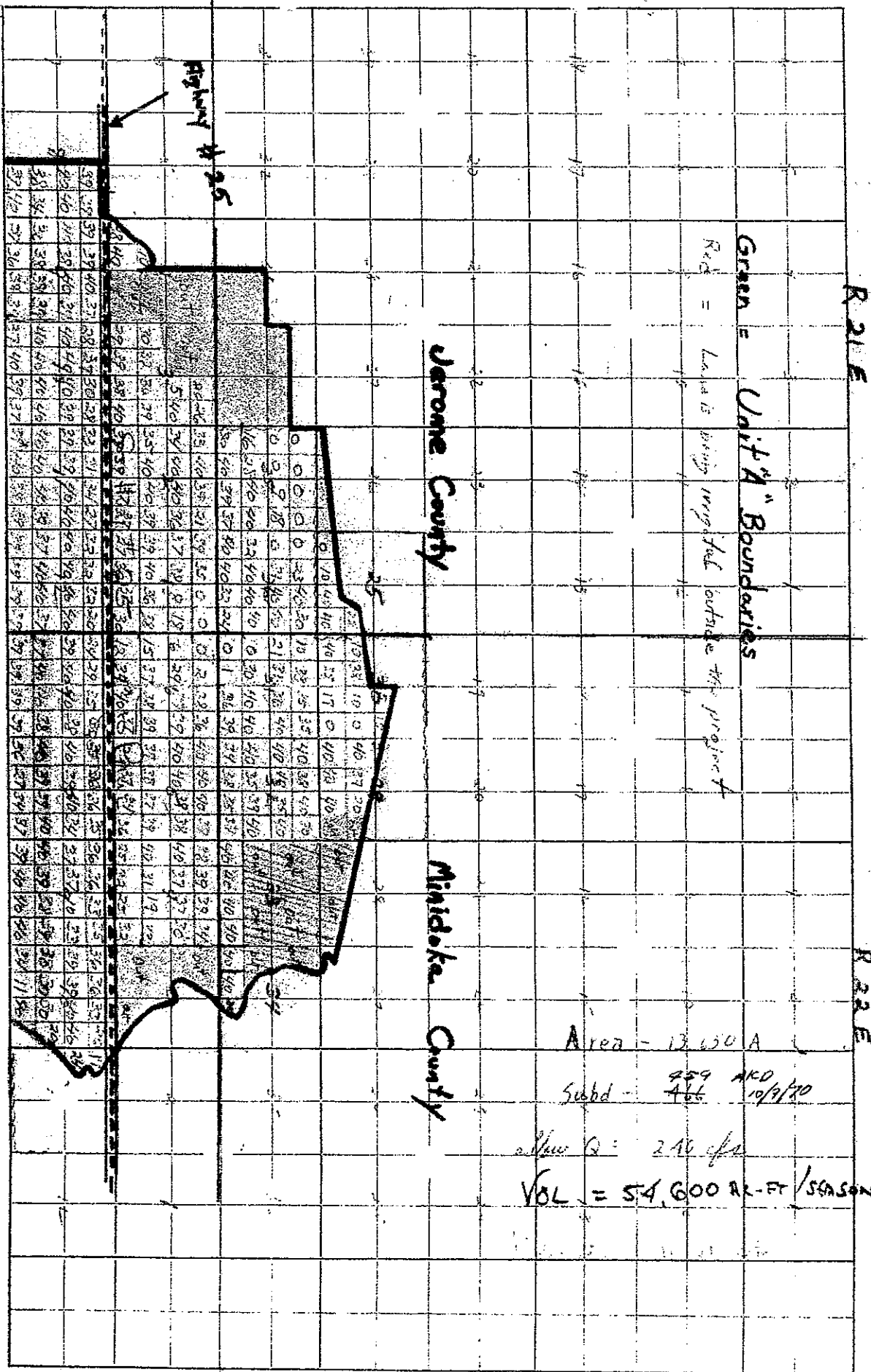


Martin Muecke
(Signature of person filing objection)

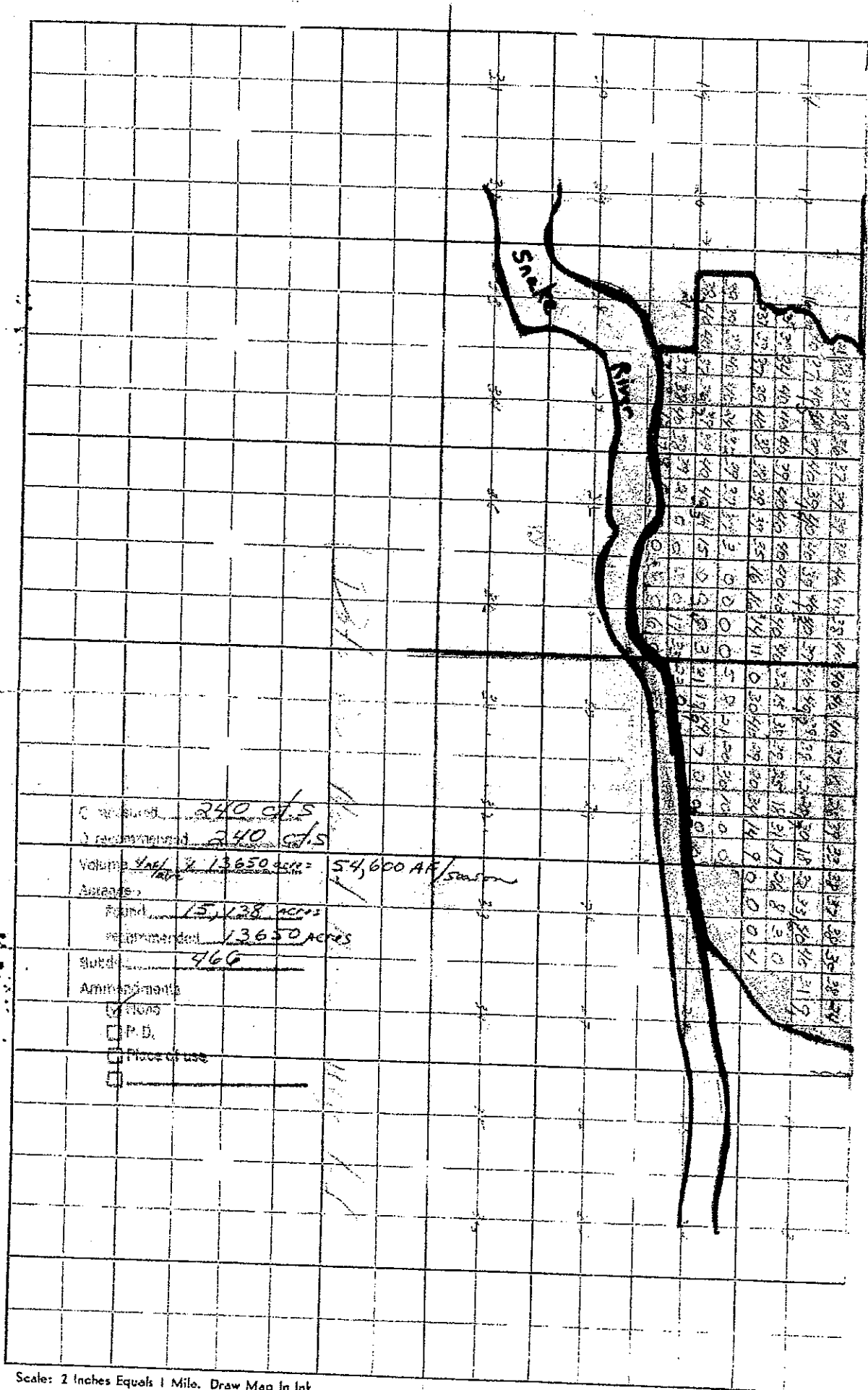
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 4, 2006

Michelle Eppesen
Notary Public for Idaho
Residing at: Paul, ID.
My Commission Expires: 10-28-11



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

INSTRUCTION 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 parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 10/6, 2006, 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 Basis Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: A&B Irrigation District

Address: P.O Box 675

Rupert, Idaho 83350-0675

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

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



Signature of objector or attorney mailing
on Objector's behalf