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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho AUG 21 2008
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By _____ *[Signature]* Clerk
 _____ Deputy Clerk

**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 22-13245

Case No. 35976

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

HORACE A. GRAY III

Address:

5004 MONUMENT AVE. SUITE 200
RICHMOND, VA. 23230

Daytime Phone:

804-359-8444

Name & Address of Attorney, if any:

Robert L. Harris

Holden, Kidwell, Hahn & Crapo, PLLC

PO Box 50130, Idaho Falls, ID 83405

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

Name:

HORACE A. GRAY III

Address:

5004 MONUMENT AVE SUITE 200
RICHMOND VA 23230

D. I object to the following elements as recommended in the Director=s Report. (Please check the appropriate box(es)).

1. 9 **Name and Address**
Should be: _____
2. 9 **Source**
Should be: _____
3. 9 **Quantity**
Should be: _____
4. 9 **Priority Date**
Should be: _____
5. X **Points of Diversion**
Should be: T5N R45E Sec. 25 SWSE
Point of Rediversion should be: T5N R45E Sec. 36 NWNE
6. 9 **Instream Flow Description**
Should be: _____
7. 9 **Purpose(s) of Use**
Should be: _____
8. 9 **Period of Year**
Should be: _____
9. 9 **Place of Use**
Should be: _____
10. **I object because:**
 - 9 This water right should not exist.
 - 9 This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** The original claimed point of diversion should actually be classified as a point of rediversion. Teton Creek splits into a main channel, and a side channel at the above described point of diversion. The side channel has been altered and modified to be an irrigation ditch, much like the Dry Bed on the South Fork of the Snake River.

Water is diverted down the converted side channel, and it is then rediverted down a ditch which has its heading at a screw headgate located at 5N R45E Sec. 36 NWNE.

VERIFICATION (Must be Completed)

State of Wyoming)
County of Teton) ss.

Horace A. Gray III
(Name of person filing objection)

, 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

[Signature]

Attorney signing in representative capacity

Subscribed and sworn to before me on:

August 15, 2008



Notary Public for Teton County
Residing at: 2512 Willow Street, Jackson, WY 83001
My Commission Expires: May 18, 2008

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, 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 hereby certify that on _____, 2000, 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 claimant of the water right at the following address:

Name: _____
Address: _____

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

Signature of Objector or attorney mailing on
Objector=s behalf

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