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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 Number: 63-33070

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho, Department of Parks and Recreation
Address: 5657 Warm Springs Avenue
Boise, Idaho 83716
Daytime Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 West State Street - 2nd Floor
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: STATE OF IDAHO
DEPT OF PARKS & RECREATION
Address: STATEHOUSE MAIL
PO BOX 83720
BOISE, ID 83720-0065

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: Not applicable.
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____

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9. ☒ **Place of Use**
Should be:

IRRIGATION in ADA County

T04N R01E S18	~~LOT 3~~ (NENW)	9.00	T04N R01E S18	~~LOT 4~~ (NWNW)	34.70
T04N R01E S18	~~LOT 4~~ (SWNW)	35.60	T04N R01E S18	~~LOT 3~~ (SENW)	29.50
T04N R01E S18	NESW	28.10	T04N R01E S18	NWSW	35.50
T04N R01E S18	SWSW	30.50	T04N R01E S18	SESW	19.80
T04N R01W S13	NENE	25.00	T04N R01W S13	NWNE	15.60
T04N R01W S13	SWNE	23.30	T04N R01W S13	SENE	17.80
T04N R01W S13	NESE	36.80	T04N R01W S13	NWSE	35.80
T04N R01W S13	SWSE	23.50	T04N R01W S13	SESE	37.50
T04N R01W S24	NENE	3.30	T04N R01W S13	NWNE	7.70
449 ACRES TOTAL					

The rights listed below are limited to the irrigation of a combined total of 449 acres in a single irrigation season. Combined Right Nos.: 63-134, 63-33068, 63-33070.

11. **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):

The objection requests the elimination of "lot numbers" in the legal description for the place of use for the following reasons. (i) The original designation of lot numbers at the time of the survey by the General Land Office was based on two separate channels of the Boise River that have changed dramatically since the time of the original survey by the General Land Office. Consequently, the reference to the original lot numbers at the present time is confusing. (ii) The legal description for the place of use is incomplete in its use of lot numbers. A true and correct copy of IDP&R Exhibit 2 is attached to this objection, which contains excerpts from the Master Title Plat for Township 4 North, Range 1 East B.M. and for Township 4 North, Range 1 West, Boise Meridian. IDP&R Exhibit 2 illustrates that all of the legal description for the place of use would require "lot numbers" except for the one hundred and twenty acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 13, Township 4 North, Range 1 West B.M. and the forty acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 18, Township 4 North, Range 1 East, B.M. The best solution is to eliminate the use of lot numbers all together in the legal description for the place of use.

F.

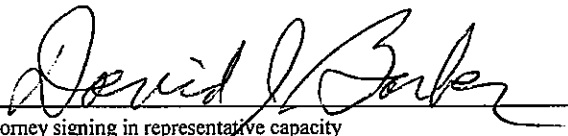
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

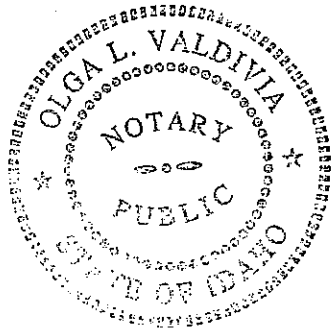
That the State of Idaho, Department of Parks & Recreation, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Parks & Recreation which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: September 19, 2008

(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

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 September 19, 2008, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

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

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise, ID 83720-0065

STATEHOUSE MAIL

3. Copies to:

Hart-Davis Ditch Company
Represented by:
S. Bryce Farris
RINGERT CLARK
455 South Third St.
PO Box 2773
Boise, ID 83701-2773

U. S. MAIL

Mace-Catlin Mutual Ditch Company
Represented by:
Jon Gould
RINGERT CLARK
455 South Third St.
PO Box 2773
Boise, ID 83701-2773

U. S. MAIL

Ron Sali
PO Box 488
Boise, ID 83701-0488

U.S. MAIL

Ron Sali & Ron Sali Properties
Ron Sali Properties, Inc.
Represented by:
Michael C. Creamer
GIVENS PURSELY
601 W. Bannock St.
PO Box 2720
Boise, ID 83701-2720

U.S. MAIL

Ron Sali Properties, Inc.
Profit Sharing Plan
919 S. Linder Rd
Eagle, ID 83616-5513

U.S. MAIL

Ron Sali
919 S. Linder Rd.
Eagle, ID 83616-5513

U.S. MAIL

Special Master Theodore Booth
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

U.S. MAIL

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

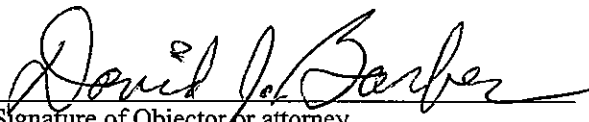
U.S. MAIL

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

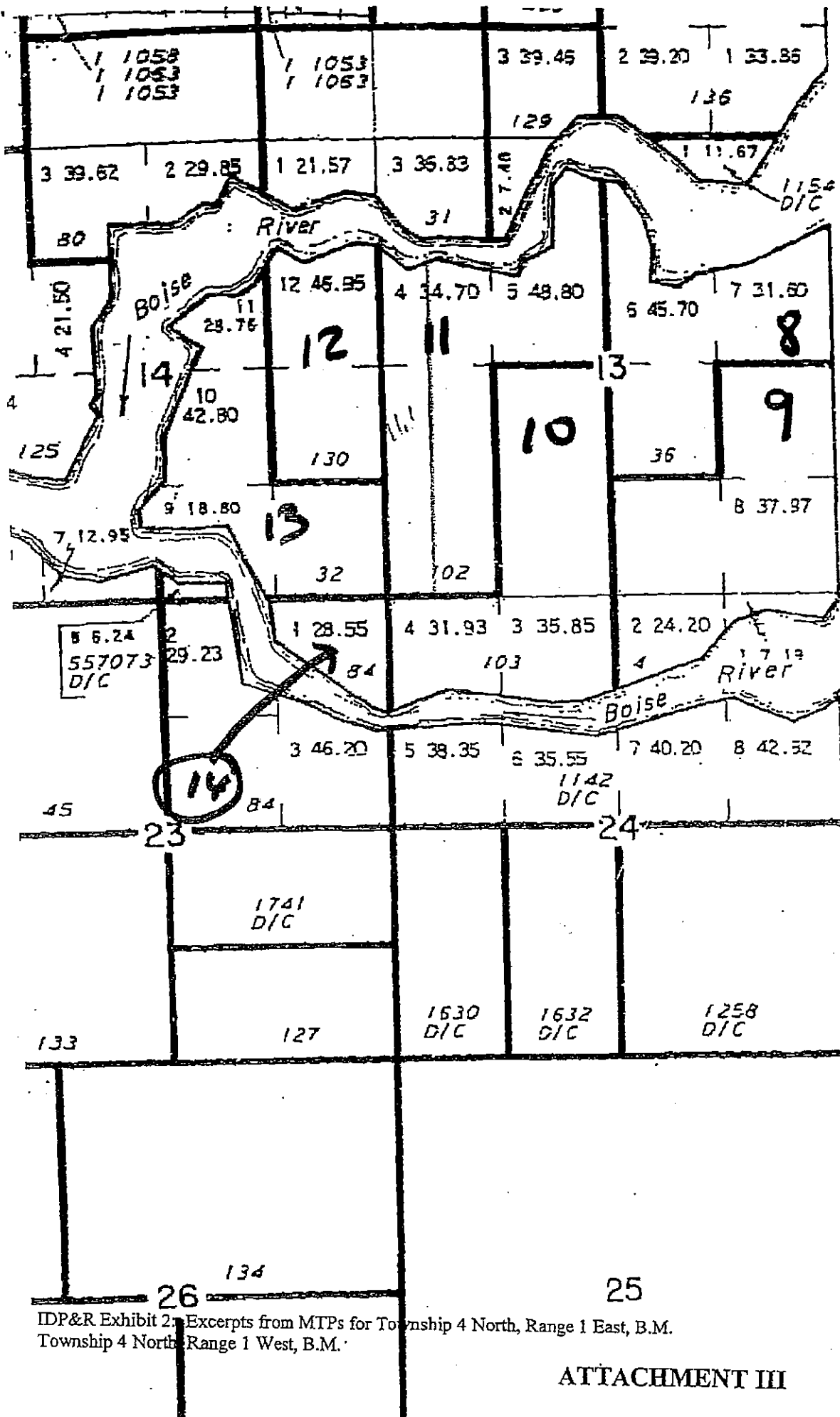
STATEHOUSE MAIL

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

(not applicable)


Signature of Objector or attorney
Mailing on Objector's behalf

4N 1W



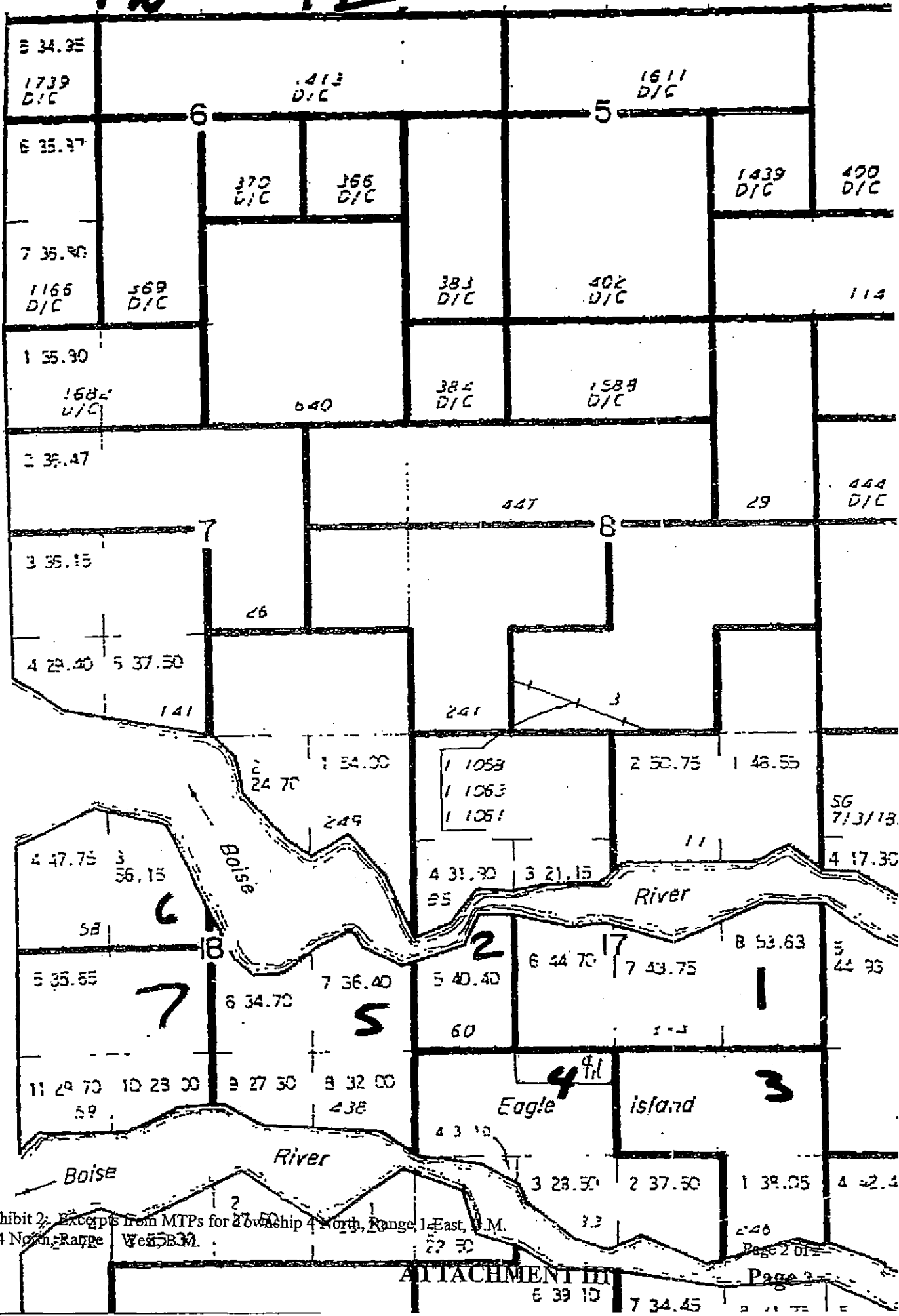
IDP&R Exhibit 2: Excerpts from MTPs for Township 4 North, Range 1 East, B.M.
Township 4 North, Range 1 West, B.M.

SRBA 60155

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Page 1

ATTACHMENT III

4N 1E



IDP&R Exhibit 2: Excerpts from MTPs for Township 4 North, Range 1 East, T.M. Township 4 North, Range 1 West, S.B.M.

ATTACHMENT III

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