

RECEIVED  
NOV 26 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     | ) | A. Subcase No. 37-4150   |
|                | ) |                          |
| Case No. 39576 | ) | STANDARD FORM 1          |
|                | ) | <u>AMENDED OBJECTION</u> |
| _____          | ) |                          |

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING:**

|                           |                        |
|---------------------------|------------------------|
| Tom O'Gara                | Big Wood Canal Company |
| John F. Stevenson         | 112 South Apple Street |
| Bill Molyneux             | Shoshone, ID 83352     |
| Pete Van Der Meulen       |                        |
| Grace Eakin               |                        |
| Rocky Sherbine            |                        |
| Gerald Bashaw             |                        |
| Pepin Corso-Harris        |                        |
| c/o Concerned Water Users |                        |
| P.O. Box 1200             |                        |
| Bellevue, ID 83313        |                        |

Name and Address of Attorney, if any:

|                                  |                                     |
|----------------------------------|-------------------------------------|
| Albert P. Barker                 | Craig Hobdey                        |
| Barker, Rosholt & Simpson, LLP   | Hobdey & Hobdey                     |
| P.O. Box 2139                    | P.O. Box 176                        |
| Boise, ID 83701                  | Gooding, ID 83330                   |
| Telephone: (208) 336-0700        | Telephone: (208) 934-4420           |
| Attorney for O'Gara, Stevenson,  | Attorney for Big Wood Canal Company |
| Molyneux, Van Der Meulen, Eakin, |                                     |
| Sherbine & Bashaw                |                                     |

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

Name: Rivers Edge Associates LLC  
Address: P. O. Box 869, Ketchum, ID 83340-0869

**D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate boxes):**

1. ☐ **Name and Address**  
Should be:

2. ☐ **Source**  
Should be:

3. ☒ **Quantity**  
Should be:

4. ☐ **Priority Date**  
Should be:

5. ☐ **Point(s) 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: Irrigation season.

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.

**E. REASONS SUPPORTING OBJECTION(S):**

- Diversion rate should be 1"/acre for surface area of ponds.
- Period of use should be limited to irrigation season.
- Previous claims for this pond have been abandoned or disallowed; forfeiture.
- Measuring and monitoring of diversion of inflow and outflow of ponds.
- Volume of ponds should be measured annually.

Tom O'Gara  
John F. Stevenson  
Bill Molyneux  
Pete Van Der Meulen  
Grace Eakin  
Rocky Sherbine  
Gerald Bashaw  
Pepin Corso-Harris

Big Wood Canal Company

By: \_\_\_\_\_

Albert P. Barker, Attorney

By: \_\_\_\_\_

Craig Hobdey, Attorney

**F.**

**VERIFICATION**

State of IDAHO       )  
                                  ) ss.  
County of Ada       )

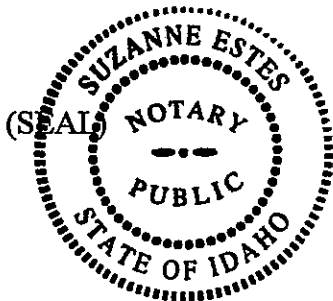
\_\_\_\_\_Albert P. Barker\_\_\_\_\_, duly sworn, upon oath, deposes and says:

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: November 21, 2008



Suzanne Estes  
Notary Public for: Idaho  
Residing at: Boise  
My Commission Expires: 6/1/2012

## 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.

## CERTIFICATE OF MAILING

I certify that on November 21, 2008, I hand-delivered and mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original hand-delivered to:

Clerk of the District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

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

Name: Rivers Edge Associates LLC c/o James Speck  
Address: P. O. Box 987, Ketchum, ID 83340

3. Copies mailed to:

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

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

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

Scott L. Campbell / Andrew J. Waldera  
Moffatt Thomas Barrett Rock & Fields  
P.O. Box 829  
Boise, ID 83701

James P. Speck  
Speck & Aanestad  
120 East Avenue  
P.O. Box 987  
Ketchum, ID 83340

A handwritten signature in dark ink, appearing to read 'Albert P. Barker', written over a horizontal line.

Albert P. Barker