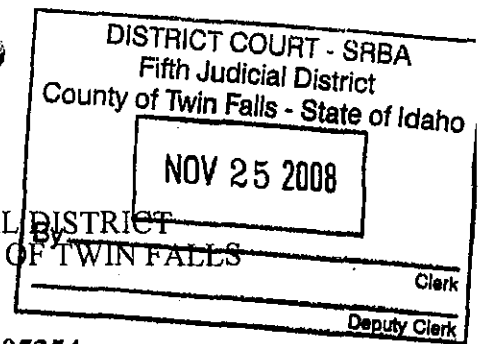




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA

Case No. 39576

A. Subcase No: 63-05354

AMENDED OBJECTION

B. NAME AND ADDRESS OF PERSON OBJECTION

Name: City of Boise, Dept. of Aviation & Public Transportation

Address: P.O. Box 500, Boise, Idaho 83701

Name & Address of Attorney, if any:

Robert A. Maynard
Erika E. Malmen
Perkins Coie LLP
251 East Front Street, Suite 400
Boise, Idaho 83702-7310
Telephone: (208) 343-3434

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

Name: City of Boise, Dept. of Aviation & Public Transportation

Address: P.O. Box 500, Boise, Idaho 83701

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: .18 cfs with no gpd/AFA limitation.

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: Municipal.
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: Identified as the Boise City Municipal Service Area.
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):

There is no basis for the 13,000 gal/per day limitation and such limitation is inappropriate for a municipal water right. The City purchased the property in 1986 and holds the appurtenant water right for municipal use. Accordingly, the purpose of use should be recommended as municipal pursuant to applicable law.

The recommendation does not identify a place of use ("POU"). The POU should be identified as the Boise City Municipal Service Area.

DATED: November 14th, 2008

PERKINS COIE LLP

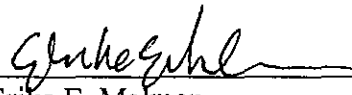
By: 
Robert A. Maynard, Of the Firm
Erika E. Malmen, Of the Firm
Attorneys for City of Boise and
Ada County

F. VERIFICATION (must be completed)

STATE OF IDAHO)
 : ss.
County of Ada)

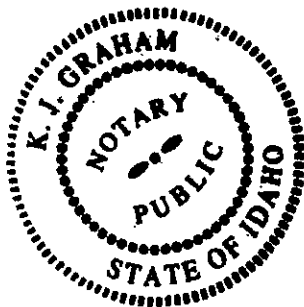
Erika E. Malmen, duly sworn, upon oath, deposes and says:

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.



Erika E. Malmen

SUBSCRIBED AND SWORN to before me this 14th day of November, 2008.





Notary Public for Idaho
Residing at Meridian, Idaho
My Commission Expires February 5, 2013