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MAY 19 2009

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 21-141
) (Insert Water Right Number)
Case No. 39576)
) STANDARD FORM 1
) OBJECTION
_____)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: _____ Conant Creek Canal Co. _____
Address: _____ P.O. Box 344 _____
_____ Ashton, ID 83420 _____
Daytime Phone: _____

Name and Address of Attorney, if any:

JERRY R. RIGBY

P.O. BOX 250

REXBURG, IDAHO 83440

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

Name: _____ Conant Creek Canal Co. _____
Address: _____ P.O. Box 344 _____
_____ Ashton, Idaho 83420 _____

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: 05-01-1896
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:
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):

The original claim and notice of claim clearly was dated 5-1-1896. Records clearly reveal that the canal was under construction immediately thereafter. Water was then diverted in 1901 after completion of the irrigation works (canal). For some presently unknown reason a clerical mistake was made when the Rexburg Decree was instituted and the date of the first diversion of water was entered instead of the date of the claim (application) and construction of the works began. This was never caught by anyone due in part to the fact that because of its location in the tributaries and the self regulating runoff, no curtailment of the right was made until the SRBA adjudication was well underway.

F.

VERIFICATION (must be completed)

STATE OF IDAHO,)
 ss
County of Madison.)

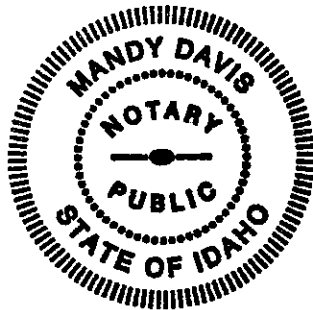
Jerry R. Rigby, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 objections, 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 before me on: May 14, 2009



Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission Expires: 6/24/2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filing 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 May 14, 2009, 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
PO Box 2707
Twin Falls, ID 83303-2707
2. One copy to the claimant of the water right at the following address:

Name: _____ Conant Creek Canal Co. _____
Address: _____ P.O. Box 344 _____
 _____ Ashton, Idaho 83420 _____
3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

American Falls Reservoir
C/O C. Thomas Arkoosh
P.O. Box 32
Gooding, ID 83330

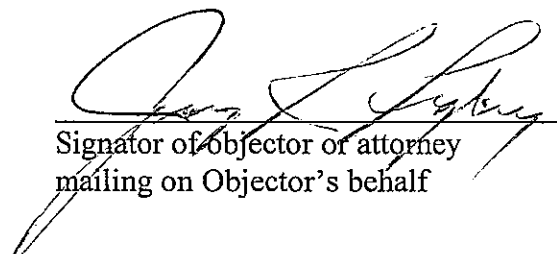
Milner Irrigation District
North Side Canal Company
Twin Falls Canal Company
C/O John K. Simpson
P.O. Box 2139
Boise, ID 83701

Clyde White (Hand Delivered)
C/O Ray W. Rigby
P.O. Box 250
Rexburg, ID 83440

A&B Irrigation District
Burley Irrigation District
C/O Roger D. Ling
P.O. Box 396
Rupert, ID 83350

Milner Irrigation District
North Side Canal Company
Twin Falls Canal Company
C/O Travis L. Thompson
P.O. Box 485
Twin Falls, ID 83303

Minidoka Irrigation District
C/O W. Kent Fletcher
P.O. Box 248
Burley, ID 83318



Signator of objector or attorney
mailing on Objector's behalf