

RECEIVED

JUN 22 2009

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

A. Subcase 63-32910

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: W & H Limited Liability Company

Address: 504 N. Phillippi St.

Boise, ID 83706

Daytime Phone: (208) 323-7767

Name & Address of Attorney, if any:

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

Name: W & H Limited Liability Company

Address: 504 N. Phillippi St.

Boise, ID 83706

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: as claimed
2. ☒ Source
Should be: as claimed
3. ☒ Quantity
Should be: as claimed
4. ☒ Priority Date
Should be: as claimed
5. ☒ Point(s) of Diversion
Should be: as claimed
6. ☐ Instream Flow Description
Should be: _____
7. ☒ Purpose(s) of Use
Should be: as claimed
8. ☒ Period of Year
Should be: as claimed
9. ☒ Place of Use
Should be: as claimed
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): Claimed historical use is supported by an affidavit from Ward Williamson (previous owner), statements from Allan Humphries and Gerald Waller (current owners) and on-site photographs

F. VERIFICATION (Must be completed)

State of Idaho)
County of ADA)ss.

GERALD A. WALLER, duly sworn, upon oath, deposes and says:

That I am the party filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gerald A. Waller

Subscribed and sworn to before me on: JUNE 17, 2009



Lori Graves
Notary Public for SPT WATER ENG.

Residing at: BOISE

My Commission Expires: 5/6/2015

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 6/18, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right:

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
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

(mailed by:) Cynthia L. Weber
Signature of Objector or attorney