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AUG 07 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

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)
)
)
)

A. Subcase 75-14531
(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: _____ Ann M. Heltsley Living Trust _____

Address: _____ P.O. Box 83 _____

_____ Idaho City, ID 83631 _____

Daytime Phone: 208-344-8242

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: _____ Ann M. Heltsley Living Trust _____

Address: _____ P.O. Box 83 _____

_____ Idaho City, ID 83631 _____

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

1. X **Name and Address**
 Should be: as claimed
2. X **Source**
 Should be: as claimed
3. X **Quantity**
 Should be: as claimed
4. X **Priority Date**
 Should be: as claimed
5. X **Point of Diversion**
 Should be: as claimed, and should specify the primary point of diversion as the gathering point of the un-named spring located at the SESWSW of T25N R21E.
6. X **Instream Flow Beginning and Ending Point**
 Should be: as claimed
7. X **Purpose(s) of Use**
 Should be: as claimed
8. X **Period of Year**
 Should be: as claimed
9. X **Place of Use**
 Should be: as claimed
10. X **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

X: See Section E. REASONS SUPPORTING OBJECTIONS BELOW

E. REASONS SUPPORTING OBJECTION(S): The recommended water right does not specify that the gathering point of the un-named spring is the primary point of diversion. Water is diverted from this gathering point and carried by a man made ditch to the place of use.

F.

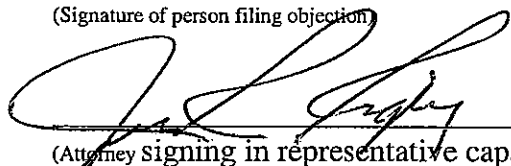
VERIFICATION (must be completed)

STATE OF IDAHO,)
 ss
County of Madison.)

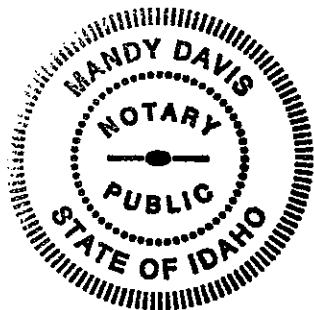
Jerry R. Rigby, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

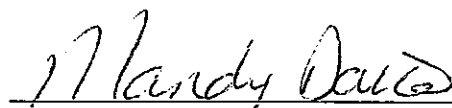
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objections, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney Signing in representative capacity)

Subscribed and sworn before me on: ^{Aug.} July 5, 2009




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

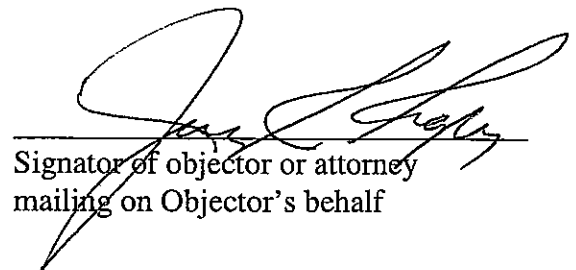
I certify that on August 5, 2009, I mailed the original and copies of this objection, including all attachments, to the following persons:

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: Ann M. Heltsley Living Trust
Address: P.O. Box 83
Idaho City, ID 83631
3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Patrick D. Murphy
14 Blaze Tree Trail
North Fork, ID 83466

Daryl Hull
15 Blaze Tree Trail
North Fork, ID 83466



Signator of objector or attorney
mailing on Objector's behalf