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DEC 10 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

Case No. 39576

)
)
)
)
)

A.

Subcase: 01-10382

(Insert Water Right Number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: American Falls Spaceholders (See attached list of Members)

Address: P.O. Box 250, Rexburg, ID 83440

Daytime Phone: 208-356-3633

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: Idaho Power

Address: PO Box 70, Boise, Idaho 83707

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:
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. ☐ **Other Conditions of Approval**
11. ☒ **I object because:**
See E. Below

E. REASONS SUPPORTING OBJECTION(S):

This water right should not exist in regards to the additional 255,000 acre feet per year for which Idaho Power is now claiming priority over other water users. This claim by Idaho Power is in contravention to its representations, historical practices and agreements, including the 1923 agreement, that Idaho Power would have priority over other water users storing water in American Falls only for 45,000 acre feet of water per year.

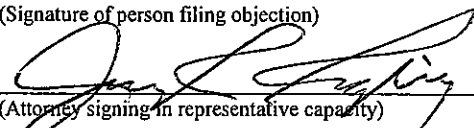
F. VERIFICATION (must be completed)

STATE OF IDAHO,)
 ss
County of Madison.)

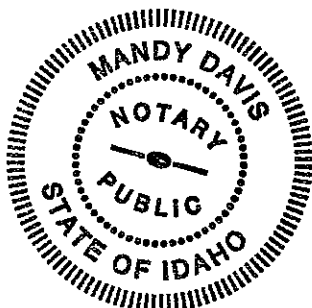
Jerry R. Rigby, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

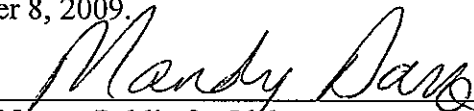
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objections, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn before me on December 8, 2009.




Notary Public for Idaho
Residing at: St. Anthony, ID
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

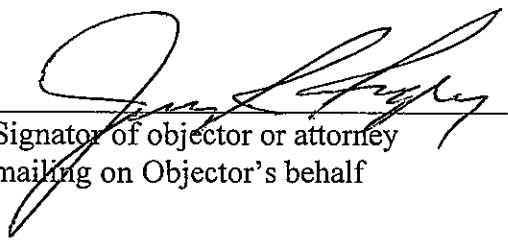
I certify that on December 8, 2009, I mailed the original and copies of this objection, including all attachments, to the following persons:

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: Idaho Power
Address: PO Box 70, Boise, Idaho 83707
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


Signator of objector or attorney
mailing on Objector's behalf

List of American Falls Spaceholders

Aberdeen Springfield Canal Company, together with the following Upper Valley American Falls Spaceholders, namely: Blackfoot Canal Company, Burgess Canal Company, Butte & Market Lake Canal Company, Corbett Slough Ditch Company, Dilts Irrigation Company, Enterprise Canal Company, Enterprise Irrigation District, Harrison Canal Company, Idaho Irrigation District, Lenroot Canal Company, New Sweden Irrigation District, Osgood Canal Company, Peoples Canal & Irrigation Company, Poplar, Progressive Irrigation District, Reid Canal Company, Rudy Irrigation Company, Snake River Valley Irrigation District, Trego Ditch Company, and Woodville Canal Company, hereinafter collectively the "American Falls Spaceholders,"