

RECEIVED

DEC 18 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 39576

) A. Subcase 34-2459

) (Insert water right number)

) STANDARD FORM 1
) OBJECTION
)
)
)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Big Lost River Irrigation District

Address: P.O. Box 205

Mackay, Idaho 83251

Daytime Phone: (208) 588-2231

Name & Address of Attorney, if any:

W. Kent Fletcher

PO Box 248

Burley, ID 83318

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

Name: Charles B. Isom and Fern A. Isom

Address: 3199 W. 2200 N.

Arco, Idaho 83213

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. **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):

- Combined diversion rates exceed historical diversion rates.

- There is no transport agreement in place with the Big Lost River Irrigation District for this right.

- If the water right makes reference to transportation of water through the Big Lost River Irrigation District facilities, it must state that it is subject to the permission, rules and regulations of the Big Lost River Irrigation District.

- The combined rights as recommended may exceed the capacity of the Big Lost River Irrigation District facilities.
- Alternative manners of delivery must be maintained in order to prevent injury in the event the capacity of the Big Lost River Irrigation District is exceeded.
- The number of acres allowed exceeds the number of acres reported by the person irrigating with these rights.
- The elements required for an accomplished transfer have not been met. The accomplished transfer may cause injury to the Big Lost River Irrigation District facilities.
- Such other matters as may be established at the time of hearing.

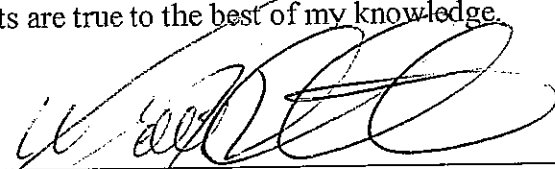
F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
 County of Cassia)

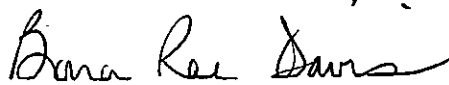
W. Kent Fletcher, duly sworn, upon oath, deposes and says:

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.

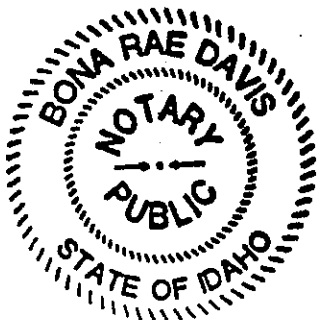

 W. Kent Fletcher, Attorney for Objector

Subscribed and sworn to before me on:

December 17, 2009



Notary Public for Idaho
 Residing at: Burley
 My Commission expires: July 5, 2014



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 December 17, 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: Charles B. Isom and Fern A. Isom
Address: 3199 W. 2200 N.
Arco, Idaho 83213

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

Robert L. Harris
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
P.O. Box 50130
Idaho Falls, Idaho 83405

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MCS 033
Boise, ID 83724



Signature of attorney mailing on Objector's behalf