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DEC 23 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: 75-14593
(Insert Water Right Number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Johnny J. Cabigas
Lana J. Greenway
Address: 1267 Mobil Ave., Camarillo, CA 93010
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: Johnny J. Cabigas
Lana J. Greenway
Address: 1267 Mobil Ave., Camarillo, CA 93010

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: .77 cfs
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:**

E. REASONS SUPPORTING OBJECTION(S):

The quantity is incorrect. This is one of multiple similarly situated water rights currently being litigated in Carmen Creek and it is appropriate that this right be determined along with the others.

F.

VERIFICATION (must be completed)

STATE OF IDAHO,)
 ss
County of Madison.)

Hyrum Erickson, duly sworn, upon oath, deposes and says:

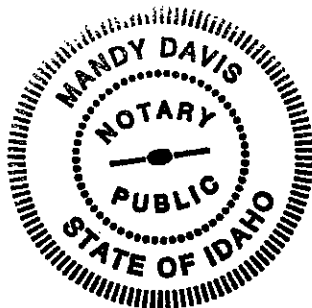
(Name of person filing objection)

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)

Hyrum Erickson
(Attorney signing in representative capacity)

Subscribed and sworn before me on December 21st, 2009



Mandy Davis
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 21, 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: Johnny J. Cabigas
Lana J. Greenway
Address: 1267 Mobil Ave., Camarillo, CA 93010

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

Travis L. Thompson
Paul L. Arrington
Barker, Rosholt & Simpson, LLP
P.O. Box 485
Twin Falls, Idaho 83303



Signator of objector or attorney
mailing on Objector's behalf