

In Re SRBA)
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)
)
 Case No. 39576)

34-2459, 34-2460, 34-2461,
A. Subcase 34-2462 & 34-10925
STANDARD FORM NO. 1
OBJECTION

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

B. NAME AND ADDRESS OF PERSON OBJECTING

Daytime Phone: _____

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: See below
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: See below
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 OBJECTIONS(S): _____

Objection
Water Right Nos. 34-2459, 34-2460, 34-2461, 34-2462, 34-10925

Diversion Rate: The recommended diversion rate is inconsistent with the licensed diversion rate as follows:

Right	License	Recommendation	Increase
34-2459	714 AFY	833 AFY	119 AFY
24-2460	714 AFY	933 AFY	119 AFY
34-2461	357 AFY	416.5 AFY	59.5 AFY
34-2462	357 AFY	416.5 AFY	59.5 AFY
		TOTAL INCREASE	357 AFY

In addition, the license for water right 34-7037, issued on September 2, 1994 includes the following remark:

The combined annual volume of water under this right [34-7037] and Right Nos. 34-2459 /2460 /2461 /32462 /7138/ 10925 shall not **exceed 6930.0 acre feet**. (Emphasis added).

There is no justification for enlarging the combined diversion volume to 8441.5 AFY (an increase of 1511.5 AFY).

Point of Diversion: The accomplished transfer of these water rights to add two new wells will injure water rights in the area of the new wells. The Department should perform an injury analysis.

F.

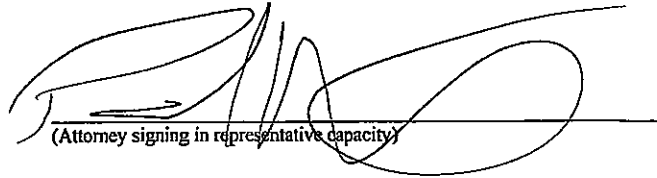
VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Twin Falls)

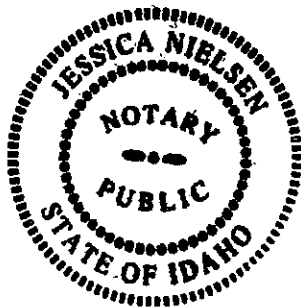
Paul L. Arrington, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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 objection, 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 to before me on: January 28, 2010



Jessica Nielsen
Notary Public for Idaho
Residing at: Twin Falls
My Commission Expires: 4/3/12

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 January 28, 2010, 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

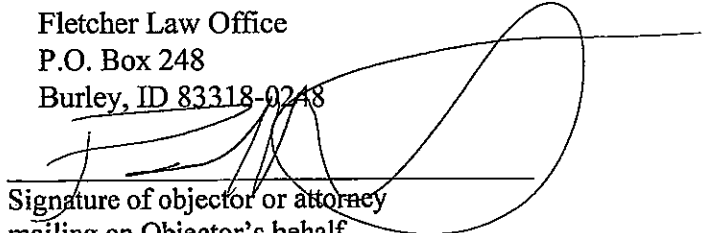
United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

Robert L. Harris
P.O. Box 50130
Idaho Falls, ID 83405

Crater Farms, Inc.
P.O. Box 91
Arco, ID 83213

W. Kent Fletcher
Fletcher Law Office
P.O. Box 248
Burley, ID 83318-0248



Signature of objector or attorney
mailing on Objector's behalf