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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: 37-04249A

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street MSC 033
Boise, Idaho 83704

Daytime Phone: (208) 365-7055

Name & Address of Attorney, if any:

David L. Negri

550 West Fort Street MSC 033
Boise, Idaho 83724

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

Name: Bernard J Ruffing
Mayme M Ruffing

Address: 336 5th Ave E
Twin Falls, ID 83301

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: United States of America on behalf of the USDA Forest Service
550 W. Fort Street MSC 033
Boise, ID 83724

2. ☐ **Source**

Should be:

3. ☒ **Quantity**

Should be: See E below.

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: SESW Section 5, T5N, R16E. See E below.

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):

The places of use (POU) for this water right, the SESW and SWSE, Section 5, T5N, R16E, are on National Forest System (NFS) land. The claimant is authorized to have a recreation residence on NFS land at Boulder View Summer Home Area Lot 18. The place of use is only in the SESW. This POU would then coincide with the claimant's water right 37-08270, which is also for use at Boulder View Summer Home Area Lot 18, but supplemental to 37-04249A. A phrase to this effect needs to be added to the description of the Quantity element of this water right. In addition an appropriate used in conjunction phrase needs to be added limiting the combined use of the two water rights for Lot 18 to 13,000 gallons per day.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada.)

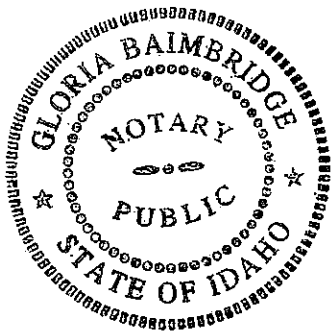
Steven M. Spencer, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Steven M. Spencer
(Signature of person filing objection)

David M. [Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on this 28th day of January 2010:



Gloria Baimbridge

Notary Public for: Idaho

Residing at: Boise, Idaho

My Commission Expires: 10-07-2014

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 January 29, 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 claimants of the water right at the following address:

Name: Bernard J Ruffing
Mayme M Ruffing

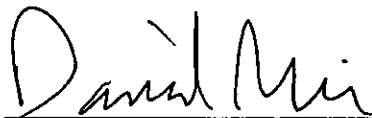
Address: 336 5th Ave E
Twin Falls, ID 83301

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



Signature of objector or attorney
mailing on Objector's behalf