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DISTRICT COURT - 5th JUDICIAL DISTRICT
TWIN FALLS COUNTY
FILED
2007 SEP 25 PM 2:44
Fifth Judicial District
County of Twin Falls - State
JAN - 5 2010
By _____
Clerk
Deputy Clerk

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 47-129
(Insert water right number)

STANDARD FORM 1
OBJECTION

- Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Ken Mulberry
Address: PO Box 11
Kimberly, ID 83341
Daytime Phone: 423-5555

Name & Address of Attorney, if any:

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

Name: Robert and Kathi Meyers
Address: 3024 Woodridge Dr.
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: Ken or Jennifer Mulberry and Robert & Kathi Meyers
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: .4 original water right of 1882
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See map

11. 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): _____

Water is Co-mingled and pumped over
entire farm.

Dear Mr. Meyers,

The Idaho Department of Water Resources (IDWR) is presently investigating water right claims in the Twin Falls County area in preparation for submittal of Director's Report recommendations to the SRBA Court this Spring. Glen Gier conducted a field exam of the above mentioned water rights in January and met with Kenneth Mulberry to discuss his water use. However, according to Twin Falls County tax lot information, it appears that you are the new owner of the place of use for the above mentioned water rights; 11S 18E S14, 15, 22, & 23. Currently our records show this property belonging Kenneth Mulberry. If you are the owner of this property, please submit to this office a change of ownership form. If no change of ownership form is received, the SRBA recommendation for said water right will be in the name of the previous owner. While the SRBA is active there is no charge to change ownership of water rights, however after these recommendations have been decreed by the SRBA court it will cost \$25 per right to have the ownership changed into your name. I have included a change of ownership form for you to fill out and attach the necessary documentation.

If you have any questions, please feel free to contact this office.

Sincerely,

Amanda Kriwox
Water Resource Agent
Idaho Department of Water Resources



2004 imagery of claimed place of use

F.

VERIFICATION (Must be Completed)

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

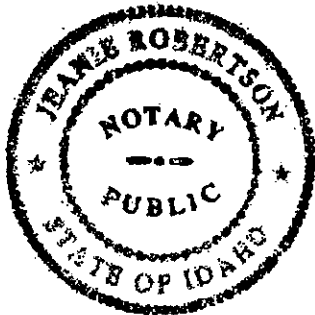
Kenneth A. Mulberry, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Kenneth A. Mulberry
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Sept. 13, 2007



Jeanne Robertson
Notary Public for ISWR

Residing at: Twin Falls, ID

My Commission Expires: 1-12-13

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 Sept 25 2007 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:

Address:

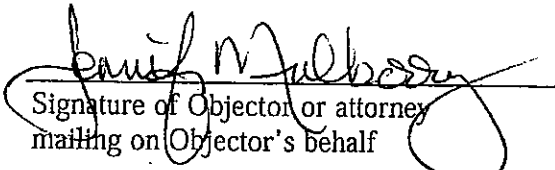
Robert or Kathi Mergers
3024 Woodriddle
Twin Falls, ID 83301

3. Copies to:

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

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

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


Signature of Objector or attorney
mailing on Objector's behalf