

COPY

RECEIVED
SEP 10 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP - 8 2010	
By _____	Clerk
By _____	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: 22-13955
(Insert Water Right Number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Summerco

Address: 327 S. 3000 E. Sugar City, Idaho, 83448

Daytime Phone: (208) 356-7314

Name and Address of Attorney, if any:

Jerry R. Rigby

Rigby, Andrus & Rigby

25 N. 2nd E, Rexburg, ID 83440

208-356-3633

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

Name: Summerco Inc

Address: 27 N 3000 E
Sugar City, ID 83448

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**
4. ☐ **Priority Date**
Should be:
5. ☒ **Point of Diversion**
Should be: Should include the SENWNE of Section 26, Township 06N, Range 40 E.B.M., Madison County, Idaho, in addition to the point of diversion recommended.
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: Please see Exhibit A
10. ☐ **Other Conditions of Approval**
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 rights 22-2258a and 22-2183 were commingled combining pod and pou. This late claim is for an enlargement of 158 acres for 22-2258a which is also covered by 22-2183.

F. VERIFICATION (must be completed)

STATE OF IDAHO,)
ss
County of Madison.)

Robert H. Wood, 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.

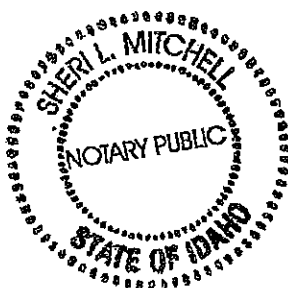
(Signature of person filing objection)

(Attorney signing in representative capacity)

S. Dee May for Robert H. Wood
Attorney at Law

Subscribed and sworn before me on:

September 8, 2010



Sheri L. Mitchell
Notary Public for Idaho

Residing at *Jerome, Idaho*

My Commission Expires: *Oct 26, 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 September 8, 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: Summerco Inc.
Address: 27 N. 3000 E. Sugar City, Idaho, 83448

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

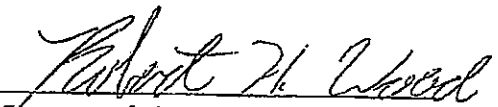

Signator of objector or attorney
mailing on Objector's behalf

Exhibit A

9. Place of use: Should be as follows

Township	Range	Section	1/4 of 1/4		Use	Acres
06N	40E	22	NE	NE	IRRIGATION	5.2
			SW	NE	IRRIGATION	1.6
			SE	NE	IRRIGATION	31
			NE	SE	IRRIGATION	36
			NW	SE	IRRIGATION	8.4
			SW	SE	IRRIGATION	4.8
			SE	SE	IRRIGATION	37
Section Acres						124
06N	40E	23	NE	NE	IRRIGATION	12
			SW	NE	IRRIGATION	4
			SE	NE	IRRIGATION	39
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	39
			NW	SE	IRRIGATION	21
			SW	SE	IRRIGATION	39
SE	SE	IRRIGATION	39			
Section Acres						273
06N	40E	24	NE	SE	IRRIGATION	35
			NW	SE	IRRIGATION	18
			SW	SE	IRRIGATION	26
			SE	SE	IRRIGATION	39
Section Acres						118
06N	40E	25	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	24
			SW	NE	IRRIGATION	29

SF.I-Objection
Amended 10/16/97

Page 5

SE	NE	IRRIGATION	38
NE	SW	IRRIGATION	29
NW	SW	IRRIGATION	40
SW	SW	IRRIGATION	39
SE	SW	IRRIGATION	38
NE	SE	IRRIGATION	12
NW	SE	IRRIGATION	39
SW	SE	IRRIGATION	15

Section Acres 343

06N	40E	26	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	39
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40

Section Acres 319

Total Acres 1177

SF.1-Objection
Amended 10/16/97

Page 6