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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

)

A. 37-577B

)

(Insert water right number)

Case No. 39576

)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Hiawatha Canal Water Users Association of Lateral or Laterals

Address: P.O. Box 669

Hailey, ID 83333

Daytime Phone: 788-4498

Name & Address of Attorney, if any:

Fritz X. Haemmerle

P.O. Box 1800

Hailey, ID 83333

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

Name: (see above)

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

2. ☐ **Source**

3. ☐ **Quantity**

4. ☐ **Priority Date**

5. ☐ **Point of Diversion**

6. ☐ **Instream Flow Beginning and Ending Point**

7. ☒ **Purpose(s) of Use**
Should be: As claimed

8. ☐ **Period of Year**
Should be: As claimed (See Exhibit 1)

9. ☒ **Place of Use**
Should be: As claimed (See Exhibit 1). The Claimant objects to the remarks. Also, if the remark stands on the first 900 ft., then IDWR should recalculate overall conveyance loss for the Hiawatha Canal.

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.

CERTIFICATE OF MAILING

I certify that on January 26, 2011, 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:

Hiawatha Canal Water Users Association of Lateral or Laterals
P.O. Box 669
Hailey, ID 83333

3. Copies to:

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

Wood River Valley Irr.
Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 485
Twin Falls, ID 83303-0485

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

EXHIBIT 1

SRBA Form No.42-1408-1 (Internet 2/09)

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576Ident. Number 37-5778

Date Received: _____

Receipt No: _____

Received By: _____

Amended

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) See Attachment AMailing Address P.O. Box 669Halley

Phone (208) _____

By _____

ZIP 833332. Date of Priority (Only one (1) per claim) March 24, 1883

Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Big Wood Riverwhich is tributary to (b) Malad River4. a. Location of Point of Diversion is: Township 3N, Range 18E, Section 20SW, 1/4 of NW, 1/4 Govt. Lot _____, BM., County of BlaineParcel (PIN) no. n/aAdditional points of diversion if any: noneIf available, GPS Coordinates n/a

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

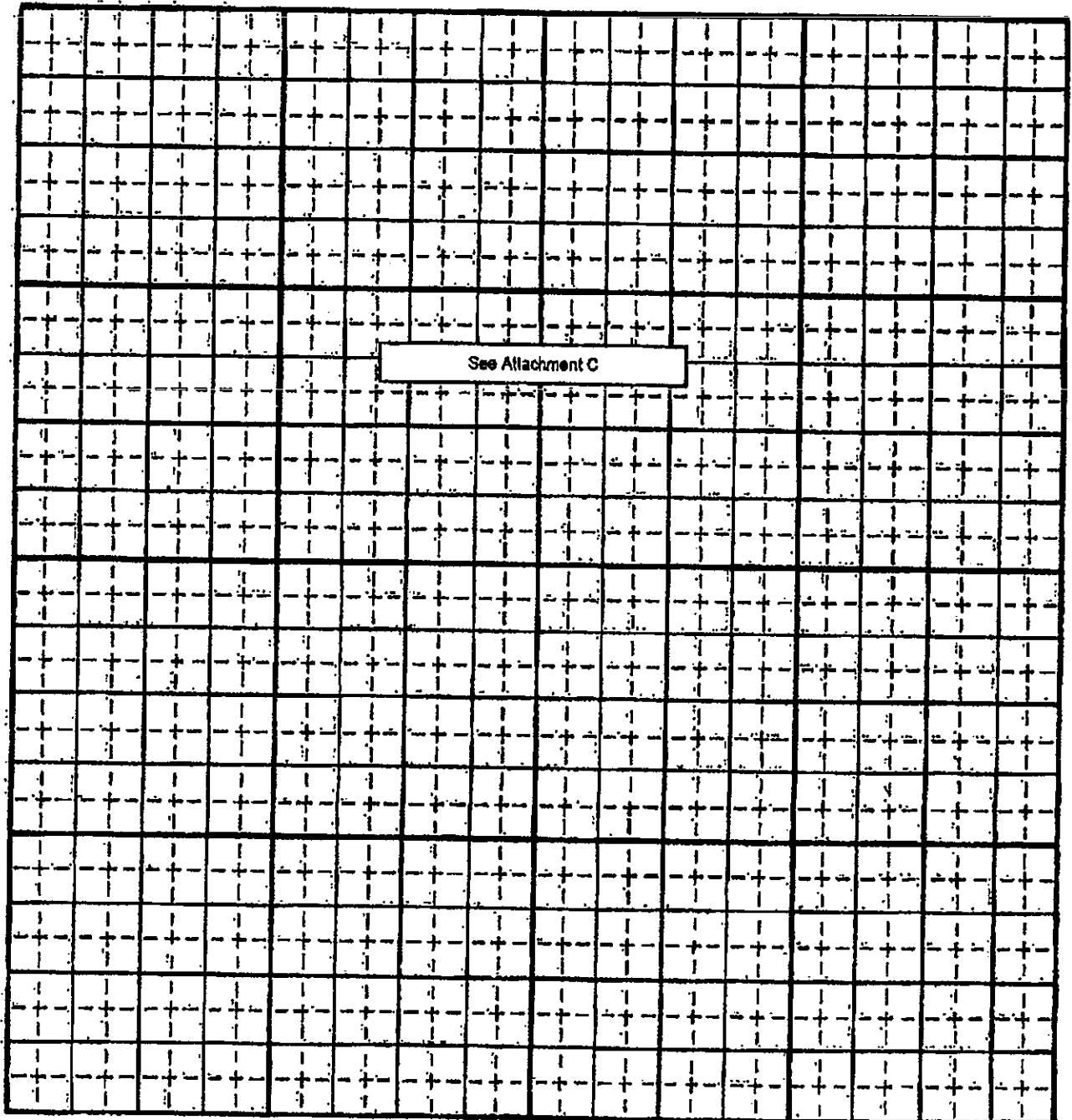
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. An existing headgate diverts water into the Hiawatha Canal and associated lateral ditches for delivery to private water right holders.

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

OCT 29 2010

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name _____ Identification No. _____

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Snake River Basin Adjudication." (b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I, am

Attorney In Fact of Highway 1 Canal
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date 10/29/10

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name _____ Identification No. _____

Attachment A

1. Name of Claimant(s): Hlawatha Canal Water Users' Association of Lateral or Laterals

Attachment B - Place of Use

TOWNSHIP	RANGE	SEC	QQ	GOVT LOT NUM
02N	18E	3	SWSW	
02N	18E	4	NWNE	2
02N	18E	4	SWNE	
02N	18E	4	SENE	
02N	18E	4	NENW	3
02N	18E	4	SENW	
02N	18E	4	NESW	
02N	18E	4	NWSW	
02N	18E	4	NESE	
02N	18E	4	NWSE	
02N	18E	4	SESE	
02N	18E	9	NENE	
02N	18E	10	SWNE	
02N	18E	10	SENE	
02N	18E	10	NENW	
02N	18E	10	NWNW	
02N	18E	10	SWNW	
02N	18E	10	SENW	
02N	18E	10	NWSW	
02N	18E	10	SWSW	
02N	18E	10	SESW	
02N	18E	10	NESE	
02N	18E	10	NWSE	
02N	18E	10	SWSE	
02N	18E	10	SESE	
02N	18E	14	SWNW	
02N	18E	14	NWSW	
02N	18E	14	SWSW	
02N	18E	14	SESW	
02N	18E	15	NENE	
02N	18E	15	SWNE	
02N	18E	15	SENE	
02N	18E	15	NENW	
02N	18E	15	SENW	
02N	18E	15	NESE	
02N	18E	15	NWSE	
02N	18E	15	SESE	
02N	18E	22	NENE	
02N	18E	23	NWNE	
02N	18E	23	SWNE	
02N	18E	23	NENW	
02N	18E	23	NWNW	
02N	18E	23	SWNW	
02N	18E	23	SENW	

Attachment B - Place of Use

TOWNSHIP	RANGE	SEC	QQ	GOVT LOT NUM
02N	18E	23	NESW	
02N	18E	23	SESW	
02N	18E	23	NWSE	
02N	18E	23	SWSE	
02N	18E	23	SESE	
03N	18E	20	SWNE	
03N	18E	20	SWNW	
03N	18E	20	SENW	
03N	18E	20	NESW	
03N	18E	20	SESW	
03N	18E	20	NESE	
03N	18E	20	NWSE	
03N	18E	20	SWSE	
03N	18E	20	SESE	
03N	18E	21	SWSW	
03N	18E	28	NWNW	
03N	18E	28	SWNW	
03N	18E	28	NWSW	
03N	18E	28	SWSW	
03N	18E	29	NENE	
03N	18E	29	NWNE	
03N	18E	29	SWNE	
03N	18E	29	SENE	
03N	18E	29	NESW	
03N	18E	29	SWSW	
03N	18E	29	SESW	
03N	18E	29	NESE	
03N	18E	29	NWSE	
03N	18E	29	SESE	
03N	18E	32	NENE	
03N	18E	32	SENE	
03N	18E	32	NESE	
03N	18E	33	NENW	
03N	18E	33	NWNW	
03N	18E	33	SWNW	
03N	18E	33	SENW	
03N	18E	33	NESW	
03N	18E	33	SESW	

