

ORIGINAL

LODGED

1640

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

DEC 15 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. 37-11828
(Insert water right number)

STANDARD FORM 1
OBJECTION

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

FEB 22 2011

By _____ Clerk
Deputy Clerk

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Flying Heart Ranch II Subdivision Owners Assn:
Address: P.O. Box 1800
Hailey, ID 83333
Daytime Phone: 578-0520

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. ☒ **X Source:**
3. ☐ **Quantity: Should reflect quality as claimed, 10 cfs., in addition to 11.2 AFA**
4. ☐ **Priority Date**
5. ☐ **Point of Diversion: Should reflect points of diversion as claimed:**

Big Wood River: NENE, Sec. 5, TN 2N, R. 18E, BLAINE COUNTY
NWNE, Sec. 5, TN 2N, R. 18E, BLAINE COUNTY
SWSE, Sec. 5, TN 3N, R. 18E, BLAINE COUNTY
6. ☐ **Instream Flow Beginning and Ending Point**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☐ **Place of Use**
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): Recommendation does not reflect actual and historical beneficial use.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Blaine)

Fritz X. Haemmerle, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

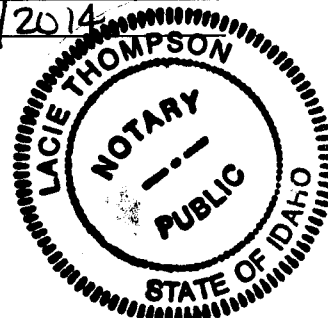
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)



(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 13, 2010
Lacie Thompson
Notary Public for Idaho
Residing at: Belleme, ID
My Commission Expires: 1/28/2014



CERTIFICATE OF MAILING

I certify that on December 13, 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:

Flying Heart Ranch II Subdivision Owners Assn:
P.O. Box 1800
Hailey, ID 83333

3. Copies to:

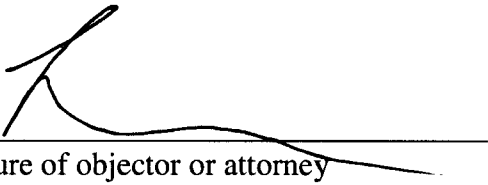
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Tom O'Gara et al.
Concerned water Users
c/o Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701

Big Wood Canal Co.
c/o Craig Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330

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