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MAY 24 2011

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

) Subcase No: 00-91013
) (Basin-Wide Issue 13)
)
) **OBJECTION RE: STATE OF**
) **IDAHO'S SECOND AMENDED**
) **MOTION TO INCLUDE**
) **SUBORDINATION LANGUAGE ON**
) **WATER RIGHTS AFFECTED BY THE**
) **SWAN FALLS AGREEMENT**

Please Print or Type the Following Information:

NAME AND ADDRESS OF PERSON OBJECTING:

Name:

Address:

Phone:

DIAN LINDL FUNK / HAROLD A. LINDL
865 FELLMORE
AD. FALLS ID 83211
208-226-7335

Name and Address of Attorney, if any:

Water Right Number for which I am objecting: 35-8346

(Please use one *Objection* form per water right)

Please Check Applicable Box:

☒ I have reviewed the State of Idaho's *Second Amended Motion*.

☒ I wish to object to my water right not being included on the list of water rights on Attachment A.

**OBJECTION RE: STATE OF IDAHO'S SECOND AMENDED MOTION TO INCLUDE
SUBORDINATION LANGUAGE ON WATER RIGHTS AFFECTED BY THE SWAN FALLS
AGREEMENT**

☒ The reason(s) I believe my water right should be included on Attachment A are as follows: *

Has priority date of 3/24/84
and beneficial use was prior to 10/25/84.
Water was used to irrigate 114.5 acres
1984 growing season.

☒ I wish to object to my water right being included on the list of water rights on Attachment B.

☒ The reason(s) I believe my water right should not be included on Attachment B are as follows: *

see above - should be on
Attachment A.

☐ I have included proof with this *Objection* supporting that beneficial use was made under the right prior to October 25, 1984.

Signature: Martene A. Junk Dated: 5/20/2011

Will submit proof later. However
Frank recently deceased & time needed for
summary of his documents from his

* Attach additional sheets of paper as necessary to provide complete explanation.

**OBJECTION RE: STATE OF IDAHO'S SECOND AMENDED MOTION TO INCLUDE
SUBORDINATION LANGUAGE ON WATER RIGHTS AFFECTED BY THE SWAN FALLS
AGREEMENT**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May, 2011, a true and correct copy of the foregoing was mailed with sufficient first-class postage to the following:

DIRECTOR OF IDWR
P.O. Box 83720
Boise, Idaho 83720

Faulkner Land & Livestock Co.
North Snake Ground Water District
Represented by:
Thomas J. Budge
PO Box 1391
Pocatello, ID 83204-1391

Basin and Range Resource
Interested Water Users
Jeff & Jackie Harper
Represented by:
Dana L. Hofstetter
608 W Franklin St
Boise, ID 83702

Idaho Ground Water Appropriators
Represented by:
Randall C. Budge
PO Box 1391
Pocatello, ID 83204-1391

United States Department of Justice
Environment & Natural Resources Division
550 W Fort Street, MSC 033
Boise, ID 83724

Burgess Canal, *et al.*
Represented by:
Jerry R. Rigby
Po Box 250
Rexburg, ID 83340-0250

Clear Spring Foods Inc.
Idaho Power Company
Represented by:
John K. Simpson
PO Box 2139
Boise, ID 83701-2139

City of Pocatello
Represented by: Josephine P. Beeman
409 W Jefferson St
Boise, ID 83702

STATE OF IDAHO
Office of Attorney General
Attn: Clive Strong / Shasta Kilminster-Hadley
P.O. Box 83720
Boise, ID 83720

SRBA DISTRICT COURT
P.O. Box 2707
Twin Falls, Idaho 83303-2707



Signature