



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

RECEIVED

JUN 27 2011

DEPARTMENT OF
WATER RESOURCES

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PO Box 50130
Idaho Falls, Idaho 83405

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June 24, 2011

Clerk of the District Court
Snake River Basin Adjudication
253 3rd Ave North
PO Box 2707
Twin Falls, ID 83303-2707

RE: Standard Form One Objection for Subcase No. 21-13112.

Dear Clerk:

Enclosed for filing, please find a *Standard Form 1 Objection* for Subcase No. 21-13112. The ability to file this objection was recently allowed pursuant to a Motion to File a Late Objection to Subcase No. 21-13112 before Special Master Bilyeu.

If you have any questions or concerns, please let us know.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosure

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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

Case No. 35976

A. Subcase 21-13112

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: DGM Properties, LLC; G&S Development, LLC; Funk-Drussel, LLC;
Wengreen Development, LLC

Address: 5990 Gleneagles Drive
Idaho Falls, ID 83401

Daytime Phone: (208) 523-5959

Name & Address of Attorney, if any:

Robert L. Harris

Holden, Kidwell, Hahn & Crapo, PLLC

PO Box 50130, Idaho Falls, ID 83405-0130

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

Name: DGM Properties, LLC; G&S Development, LLC; Funk-Drussel, LLC;
Wengreen Development, LLC

Address: 5990 Gleneagles Drive
Idaho Falls, ID 83401

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: DGM Properties, LLC; G&S Development, LLC; Funk-Drussel, LLC;
Wengreen Development, LLC
5990 Gleneagles Drive, Idaho Falls, ID 83401
2. ☒ **Source**
Should be: Groundwater
3. ☒ **Quantity**
Should be: .09 cfs
4. ☒ **Priority Date**
Should be: June 1, 1945
5. ☒ **Points of Diversion**
Should be: 15N, 43E, Section 6, NWNW (Lot 2)
6. ☐ **Instream Flow Description**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Irrigation
8. ☒ **Period of Year**
Should be: 5/1 to 10/31
9. ☒ **Place of Use**
Should be: 15N, 43E, Section 6, NWNW (4.3 acres)
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 OBJECTION(S):** This water right was disallowed, but should be recommended as claimed. The primary reason for the disallowal was confusion over use of a certain well and how that would impact the claim for this water right. The well dispute was resolved in the attached *Water Rights Agreement, Quitclaim Deed, and Well Use Agreement*, recorded as Instrument No. 532216 in the records of Fremont County, Idaho.

CERTIFICATE OF MAILING

I hereby certify that on June 23rd, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

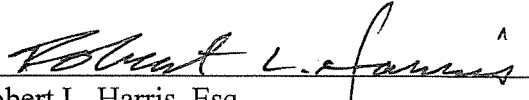
Name: DGM Properties, LLC; G&S Development, LLC; Funk-Drussel, LLC;
Wengreen Development, LLC
Address: 5990 Gleneagles Drive, Idaho Falls, ID 83401

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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


Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

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VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

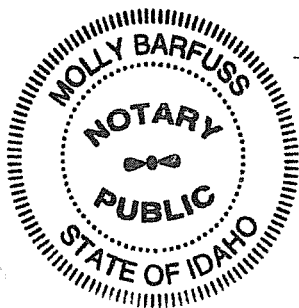
DGM Properties, LLC; G&S Development, LLC; Funk-Drussel, LLC; Wengreen Development, LLC, duly sworn, upon oath, deposes and says:

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

Robert L. Harris, Attorney
Robert L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Subscribed and sworn to before this 24th day of June, 2011.



Molly Barfuss
Notary Public for the State of Idaho
Residing in Idaho Falls
Commission Expires 03-7-12