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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 22-14007

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Richard A. Egbert Limited Partnership

Address: 1134 Bond Ave.

Rexburg, ID 83440

Daytime Phone: 208-356-8818

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: Richard A. Egbert Limited Partnership

Address: 1134 Bond Ave.

Rexburg, ID 83440

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

1. X **Name and Address**
Should be: Richard A. Egbert Limited Partnership
2. X **Source**
Should be: South Leigh Creek (Tributary to the Teton River)
3. X **Quantity**
Should be: .8 cfs
4. X **Priority Date**
Should be: April 15, 1916
5. X **Points of Diversion**
Should be: Township 6N, Range 45E, Section 33, NE1/4SE1/4SW1/4, Teton County.
6. ☐ **Instream Flow Description**
Should be: _____
7. X **Purpose(s) of Use**
Should be: Irrigation.
8. X **Period of Year**
Should be: 4/15 to 10/31.
9. X **Place of Use**
Should be: Township 5N, Range 45E, Section 5, NE1/4NE1/4: 40 acres.
10. **I object because:**
 - ☐ This water right should not exist.
 - X 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 it was claimed. This claim effectively replaced a prior recommendation to the Claimant that has since been disallowed (Water Right No. 22-568A) by IDWR because of a clerical error made in the Rexburg Decree. Water has been used to irrigate the property identified above since 1916.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

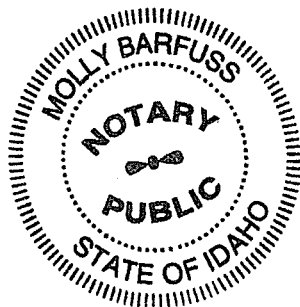
Robert L. Harris, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

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

Subscribed and sworn to before this 7th day of February, 2012.



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

CERTIFICATE OF MAILING

I hereby certify that on FEBRUARY 7, 2012, 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:

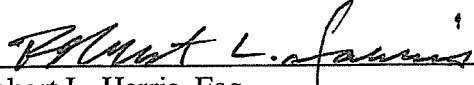
Name: Richard A. Egbert Limited Partnership
Address: 1134 Bond Ave.
Rexburg, ID 83440

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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