

RECEIVED 6-29

JUL 02 2012

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. 37-892

STANDARD FORM 1
OBJECTION

NAME AND ADDRESS OF PERSON OBJECTING

Brown Ranch, Inc.
c/o Dan Brown
247 Glendale Road
Bellevue, ID 83313
(208) 788-2143

Name & Address of Attorney:

Josephine P. Beeman
Beeman & Associates, P.C.
409 W. Jefferson Street
Boise, ID 83702
(208) 331-0950
(208) 331-0954 (fax)

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Upper Wood River Water Users Association, Inc.
153 Baseline Road
Bellevue, ID 83313

I object to the following elements as recommended in the Director's Report.

1. ■ Name and Address

Should be: Upper Wood River Water Users Association, Inc.
10407 Highway 75
Bellevue, ID 83313

2. ■ Source

Should be: Ground Water or Big Wood River

3. ■ Quantity

Should be: 11.232 cfs

4. ■ Priority Date

Should be: September 1, 1920

5. ■ Point of Diversion

Should be: T1N, R18E, Section 12, SESW, Blaine County, Idaho, and as listed in Remark #2 in the August 3, 2007 Amended Notice of Claim for 37-892.

6. □ Instream Flow Beginning and Ending Point

Should be: _____

7. ■ Purpose(s) of Use

Should be: Irrigation

8. ■ Period of Year

Should be: April 15 to October 31

9. ■ Place of Use

Should be: Place of Use should correspond to the places of use recommended for the individual members of the Association, whose names and total acres are listed on the last three pages (27-29) of the November 17, 2006 Notice of Claim.

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.

REASONS SUPPORTING OBJECTIONS

1. Brown Ranch, Inc. is a member of Claimant Upper Wood River Water Users Association, Inc. (Association). Brown Ranch joins in and supports the Objections filed by the Association.

2. The place of use for Brown Ranch within the Association's claim is the same place of use already decreed for Brown Ranch's individual SRBA claims. Brown Ranch understood that IDWR would not make any recommendation to the SRBA court for the Association's claims until the individual places of use of the members' claims had been decreed by the SRBA court. This would ensure that the place of use for the Association's claims corresponded to the decreed places of use for the individual members of the Association.

3. The Affidavit of Lee Peterson filed in support of the Association's claims was the same affidavit used to support the water rights already recommended and decreed for Brown Ranch, Inc.

4. This is a previously decreed water right. As such, in order to recommend this right for disallowal, IDWR would have to make a finding of abandonment or forfeiture. As such, it was a departure from IDWR standard policy and procedure to disallow this right based on "no use." The decree, the verified claim, and the Affidavit of Lee Peterson are also counter to the recommendation of disallowal.

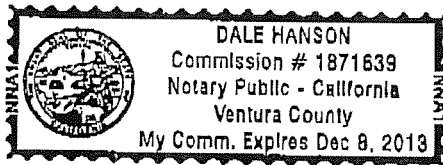
VERIFICATION

State of California)
County of Ventura) ss.

Josephine P. Beeman, duly sworn, upon oath, deposes and says: 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.

Josephine P. Beeman
Josephine P. Beeman
Attorney for Objector Brown Ranch, Inc.

Subscribed and sworn to before me on June 28, 2012



Dale Hanson
Notary Public for the State of California
Residing at: 221 E. MATILIS St.
OJAI, CA 93023
My Commission Expires: 12.08.2013

CERTIFICATE OF MAILING

I certify that on June 29, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

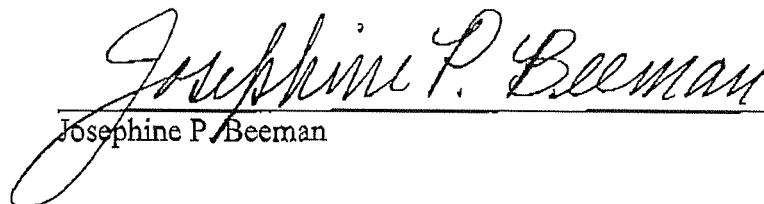
Upper Wood River Water Users Association, Inc.
10407 Highway 75
Bellevue, ID 83313

3. Copies to:

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

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


Josephine P. Beeman