

 ORIGINAL

192

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL - 6 2012	
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. Subcase Number: 84-12267
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Lands
Address: 300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, ID 83720-0050
Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
TYSON K. NELSON (ISB #7188)
Deputy Attorney General
Attorney Address: Office of the Attorney General
Joe R. Williams Building
700 West State Street, 2nd Floor
P.O. Box 44449
Boise, Idaho 83711-4449
Attorney Phone No. (208) 334-2400

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

Name: State of Idaho,
Department of Lands
Address: 300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, ID 83720-0050

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: As claimed.
2. ☒ **Source:**
Should be: As claimed.
3. ☒ **Quantity:**
Should be: 1.14 AFY; and the capacity of the two (2) storage reservoirs should be 0.40 AF.
4. ☒ **Priority Date:**
Should be: As claimed.
5. ☒ **Point of Diversion:**
Should be: (1) T35N, R05E, Sec. 20, NENE; and (2) T35N, R05E, Sec. 19, NENE.
6. ☐ **Instream Flow Beginning and Ending Point:**
Should be: _____
7. ☒ **Purpose(s) of Use:**
Should be: As claimed.
8. ☒ **Period of Year:**
Should be: As claimed.
9. ☒ **Place of Use:**
Should be: As claimed for industrial from storage and fire protection from storage. The place of use for stockwater from storage should be T35N, R05E, Sec. 20, NENE; and T35N, R05E, Sec. 19, NENE.
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 claim was recommended as disallowed based on "no lawful appropriation shown." The Idaho Department of Lands (IDL) uses water on the land described in the Notice of Claim for fire protection, stockwater, and forest management purposes. Please see the Notice of Claim for information to support this objection. After the initial hearing, IDL anticipates filing an amended claim to change the quantity, point of diversion, and place of use elements.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

TYSON K. NELSON, Deputy Attorney General, duly sworn, upon oath, deposes and says:

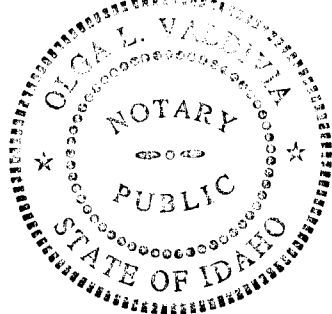
That the State of Idaho in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
TYSON K. NELSON
Deputy Attorney General



By Attorney signing in representative capacity

Subscribed and sworn to before me on: July 3rd, 2012
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2018

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on this 3rd day of July, 2012, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

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

State of Idaho, Department of Lands
300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, ID 83720-0050

E-MAIL:
mdenney@idl.idaho.gov
dbooker-lair@idl.idaho.gov

3. Copies to:

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

STATEHOUSE MAIL

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

(not applicable)

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

U.S. MAIL



Signature of Objector or attorney
Mailing on Objector's behalf