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Department of Water Resources
Adjudication Bureau

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JAN 18 1995
OFFICE OF THE
ATTORNEY GENERAL

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	**Water Right No. 36-02125**
Case No. 39576	**STANDARD FORM 1**
	OBJECTION

95-01-0088

INSTRUCTIONS

This form must be used to file an objection to a water right recommended in the director's report. ***Only one party/claimant may object to one water right per objection form.*** To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you do, the text must be on the front and back of each page exactly as it appears here. The objection must be **received** by the court on or before the deadline specified in the Notice of Filing the Director's Report that IDWR mailed to you. Follow the Instructions for Mailing this objection (Page 6) or the court will not accept it for filing. This form has been adopted by the court in ***SRBA Administrative Order 1*** (amended June 21, 1993), Section 4, which may be consulted for further information.

Any party filing 25 or more objections must make an appointment with the Clerk of the SRBA Court.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. ***Party/Claimant objecting:***

Name: Acequia, Inc.

Address: c/o James P. Speck
Hogue, Speck & Aanestad
P. O. Box 987
Ketchum, ID 83340

Phone: Work: (208) 726-4421
Home:

Briefly describe your interest in this water right: Claimant

If this objection is ***filed by an attorney:***

Attorney Name: James P. Speck

Attorney Address: Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, Idaho 83340

Attorney Phone No.: (208) 726-4421

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

2. ***Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:***

Name: Acequia, Inc.

Address: P. O. Drawer 226
Sun Valley, ID 83353

II. STATEMENT OF THE OBJECTION

1. ☒ ***Period of Year:*** I object to the period of year when water is used or is necessary for the purpose stated.

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The Water Right is based upon a license issued by the Idaho Department of Water Resources ("IDWR") which did not specify or otherwise limit the period of use for the Water Right. The Water Right has historically been used from March 15 through November 15. Claimant and its predecessors have a vested interest in and have relied upon this period of use. IDWR is estopped from and has waived any right it may have had to change the period of use or recommend such change.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The period of use should be changed to March 15 through November 15.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection (as listed on Page 2, Section 1, "Party/Claimant Objecting"), as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

_____
Signature of party/claimant filing objection

By: /s/
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____
(Insert Date)

/s/
Notary Public for Idaho
Residing at _____
My Commission expires _____

INSTRUCTIONS FOR MAILING

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

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on 1/17, 1995 I mailed the original and copies of this objection, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

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

2. One copy to the owner of the water right, and you must fill in the following information:

   Owner's name: Acequia, Inc.

   Owner's address: c/o James P. Speck
   Hogue, Speck & Aanestad
   P. O. Box 987
   Ketchum, ID 83340

3. One copy to:

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

4. One copy to:

   United States Department of Justice
   Environment and Natural Resource Division
   550 West Fort Street, Box 33
   Boise, Idaho 83734

/s/
Signature of party/claimant or attorney