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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. 39576

A.

Subcase 63-33740
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Einar Norton

Address: 2072 Crystal Way
Boise ID 83706

Daytime Phone: (208) 387-5582

Name & Address of Attorney, if any:

N/A

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

Name: Einar Norton and Lynn Norton

Address: 2072 Crystal Way
Boise ID 83706

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: _____

2. ☐ **Source**
Should be: _____

3. ☐ **Quantity**
Should be: _____

4. ☐ **Priority Date**
Should be: _____

5. ☐ **Point of Diversion**
Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____

7. ☐ **Purpose(s) of Use**
Should be: _____

8. ☐ **Period of Year**
Should be: _____

9. ☒ **Place of Use**
Should be: 1 ACRE TOTAL (4 parcels comprise .733 acre,
not .5 acre as reflected in Recommended
Water Rights)

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 OBJECTIONS(S):** See next page.

E. REASONS SUPPORTING OBJECTIONS:

I object to the IDWR recommendation to limit our water right to only one half (0.5) acre of our property. In the initial application packet, we applied for water sufficient to irrigate one (1.0) acre of land which is divided into four parcels and the place of use should be described to include both NW2NW4 SEC 23 3N 2E and also Lot 20, Block 1 of Crystal Park Subdivision.

The Recommended Water Right only includes one of our four parcels, Parcel # S1023223210, and only recommends the place of use on 0.5 acre within Lot 20, Block 1, Crystal Park Subdivision.

Four parcels comprise our property with a mailing address of 2072 Crystal Way, Boise, Idaho. All four parcels should be included in the place of use and the acreage for the place of use should be corrected to total .733 Acres Total or be rounded up to 1.0 Acre Total:

- 1) Parcel # S1023223210 of NW4NW4 SEC 23 3N 2E - which is included under Explanatory Material in the Recommended Water Right but the .06 acres is not reflected in the Place of Use.
- 2) Parcel # S1023223202 of NW4NW4 SEC 23 3N 2E – is reflected as .1 acres under Place of Use but is not included in the Explanatory Material.
- 3) Parcel # R1626000102 of LOT 20 BLK 1 CRYSTAL PARK SUB #0100-B – is incorrectly reflected as .4 acre in the Place of Use in the Recommended Water Right. This parcel is .626 of an acre. This parcel is not included in the Explanatory Material.
- 4) Parcel # R1626000104 described as both NW2NW4 SEC 23 3N 2E and OF LOT 20 BLK 1 in the tax records – should be added to the Water Right under Place of Use as .01 acre. This parcel is also not included in the Explanatory Material.

The well located on our property has been in continuous operation since 1960 when the Crystal Park Subdivision was developed. This well was the community well for the subdivision at that time. While some of the subdivision parcels are no longer irrigated by the well, there is a clear, continuous, and long-established fifty-three year beneficial use of the water resource for all four of the parcels identified above and it is important that the acreage and parcels be correctly identified since the home sits on a different parcel than identified in the Recommended Water Right.

The IDWR recommendation to limit the beneficial use to one parcel and only 0.5 acre denies our long established consumption since all four parcels have a long standing fair and beneficial use of the water resource for irrigation. To deny use of the resource will effectively lower the value of our property causing economic harm.

In summary, we request the water right be granted as requested in our initial application packet with the beneficial use on all four parcels totaling 1 acre (rounded up). Please correct the Recommended Water Right to reflect one acre of property adding parcels S1023223202, R1626000102, and R1626000104 as requested in our application.

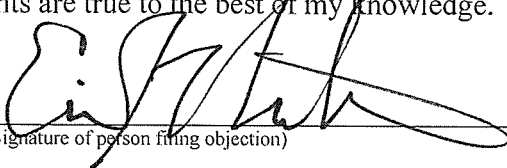
F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

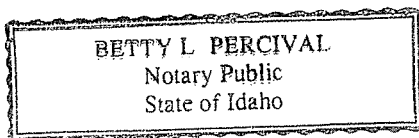
Einar Norton, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

N/A.
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Aug. 15, 2013



Betty L. Percival
Notary Public for Borise ID
Residing at: 3833 S. Development
My Commission Expires: 08/07/2015

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 15 August, 2003, 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:

Name: Einar and Lynn Norton
Address: 2072 Crystal Way
Boise ID 83706

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

Signature of objector or attorney
mailing on Objector's behalf