

5-8
D. V. STEENSON
RINGERT CLARK CHARTERED
455 S. Third St., P.O. Box 2773
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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In Re SRBA	)	CASE NO. 57-02202
	)	(Insert water right number)
CASE NO. 39576	)	
	)	STANDARD FORM 1
	)	
	)	OBJECTION
	)	96-05-0041

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You 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. The water right number you are objecting to must be indicated above in the blank space following "Case No." Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found on page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the SRBA Court no later than 14 days before the filing deadline to file their pleadings.

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 needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Party/Claimant Objecting:

Name: Little Valley Mutual Irrigation Company
Address: c/o Ringert Clark Chartered
455 South Third Street
Boise, ID 83702
Mailing Address: P.O. Box 2773, Boise, ID 83701-2773
Phone: Work: (208) 342-4591 Home: N/A

Briefly describe your interest in this water right:

Little Valley Irrigation Company claims water rights for irrigation or commercial use within the Snake River Basin. These water rights may be affected by the federal reserved water right asserted in this claim.

If this objection is filed by an attorney:

Attorney name: D. V. Steenson
Attorney Address: 455 S. Third, P.O. Box 2773
Boise, ID 83701-2773
Attorney Phone No.: (208) 342-4591

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 Directors Report:

Name: J.R. Simplot Company
Address: P.O. Box 27
Boise, ID 83707

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☒ **Name and address:** I object to the name and/or address of the owner of the water right.
2. ☐ **Source:** I object to the source of water.

3. Quantity: I object to:
- a. the total quantity of water used in cubic feet per second; or
 - b. the total quantity of water stored in acre-feet per year; or
 - c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. Priority Date: I object to the priority date.
5. Points of Diversion: I object to the legal description of the point(s) of diversion.
6. Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. Purpose(s) of Use: I object to the purpose(s) of use.
8. Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. X Place of Use: I object to:
- X a. the legal description of the place of use; or
 - X b. the number of irrigated acres within each forty (40) acre subdivision.
10. Consumptive Use: I object to the annual volume of consumptive use.
11. Water Right Recommendation: I object to:
- a. this water right being recommended at all; or
 - b. this water right not being recommended.
12. Description of Reservation: I object to the legal description of the reservation.
13. Other: I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

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

Water right 57-02202 is owned by Little Valley Mutual Irrigation Company and has been used as a supplemental water source for delivery to all the lands served by Little Valley Mutual Irrigation Company, rather than only those lands identified in Simplot's Notice of Claim.

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.

Little Valley Mutual Irrigation Company should be identified as the claimant and the place of use should be changed to include all the lands served by Little Valley Mutual Irrigation Company.

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

County of Ada

Little Valley Irrigation Company herein represented by and through D. V. Steenson, being first duly sworn, upon oath, depose and say:

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.

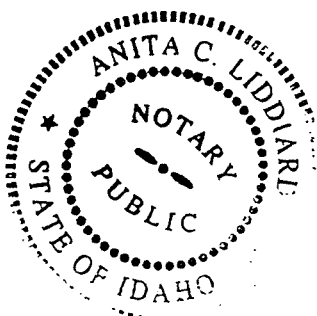
Signature of person filing objection

D. V. STEENSON

By: *D. V. Steenson*

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 3-26-96



Anita C. Liddiard
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 11-14-98

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.

CERTIFICATE OF MAILING

I certify that on March 26, 1996, I mailed the original and copies of the foregoing 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 at the following address:

Name: J.R. Simplot Company
Address: P.O. Box 27
Boise, ID 83707

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 MSC 033
Boise, Idaho 83724



Signature of party/claimant or attorney

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	)	SUB-CASE NO. 57-02202
	)	
CASE NO. 39576	)	ORDER GRANTING MOTION
	)	TO FILE LATE OBJECTIONS
_____	)	

The Court has received and reviewed Little Valley Mutual Irrigation Company's Motion to File Late Objections to water right 57-02202 filed by J. R. Simplot Company. At the March 22, 1996 status conference for subcase no. 57-02203A, J. R. Simplot informed the Court that it had no objection to Little Valley's Motion to File Late Objections to water right 57-02202.

Therefore, for good cause appearing, IT IS ORDERED that the Motion to File Late Objections is GRANTED.

IT IS SO ORDERED.

DATED March _____, 1996.

DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

