

RECEIVED
JUL 17 2015
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 CSRBA)
)
)
)
)
_____)

Case No. 49576

A. Subcase No. 92-10984

STANDARD FORM 1
OBJECTION

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho
Address: P.O. Box 83720
Boise, ID 83720-0010
Phone: 208-334-2400

Attorney Name: LAWRENCE G. WASDEN
Attorney General
Clive J. Strong
Deputy Attorney General
Chief, Natural Resources Division
Steven W. Strack (ISB # 3906)
Anne E. Vonde (ISB # 8406)
Deputy Attorneys General
Attorney Address: P.O. Box 83720
Boise, Idaho 83720-0010
Attorney Phone No.: Telephone: (208) 334-2400

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

Name: Cherry Tree Timber LLC
Address: 654 N. State St.
Jackson, MS 39202

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: 0.20 acre feet per day (0.20 AF/day)
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:
10. ☐ **General Provision** ☐ Individual Water Right ☐ All Water Rights
☐ Should not be recommended.
☐ This general provision was not recommended but should be recommended as described below.
Should be:
☐ General provision was recommended but should be modified as described below.
Should be:
11. ☐ **I object** because the recommendation contains an accomplished transfer under Idaho Code § 42-1425 resulting in injury to my water right(s) and/or enlargement of the original right.

12. ☐ **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):

Box 3: The State of Idaho ("State") objects to the Director's recommended claim on the basis that the quantity of 0.200 CFS stated in the recommended claim is not consistent with the stated statutory basis for the claim, Idaho Code § 42-201, which provides that the use of water for forest practices and forest dust abatement "is limited to two-tenths (0.2) acre-feet per day from a single watercourse."

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.

CERTIFICATE OF MAILING

I certify that on this 16th day of July 2015, 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:

Cherry Tree Timber LLC
654 N. State St.
Jackson, MS 39202

3. Copies to

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

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0010

United States Dept of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Michael Lawrence
Givens Pursley LLP
PO Box 2720
Boise, ID 83701-2720



Signature of Objector or attorney mailing on
Objector's behalf