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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 57-12068
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Mary Louise Mansisidor
Address: 3644 Market Road
Homedale, ID 83628
Daytime Phone: (208) 337-4195

Name & Address of Attorney, if any:

Debra L. Eismann
3016 Caldwell, Blvd.
Nampa, ID 83651

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

Name: Cegnar Land LLC
Address: 1208 Sheffield Pl.
Lexington, KY 40509

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: _____
10. ☒ **I objection 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): See, attached.

F.

VERIFICATION (must be completed)

State of Idaho)

)ss.

County of Canyon)

Mary Louise Mansisidor, 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.

Mary Louise Mansisidor

(Signature of person filing objection)

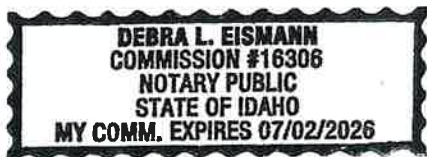
Mary Louise Mansisidor

Debra L. Eismann

(Attorney signing in representative capacity)

Debra L. Eismann

Subscribed and sworn to before me on: July 8, 2021



Debra L. Eismann

Notary Public for State of Idaho

Residing at: Nampa, ID

My Commission Expires: 07/02/2026

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 July 9, 2021, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: Hand-delivered for filing.

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: Robert J. Tunison
Address: P.O. Box 26
Caldwell, ID 83606-0026

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 the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

Reyna L. Fjime
Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT TO STANDARD FORM 1 OBJECTION

Subcase: 57-12068

Item 2. Date of Priority. To the best of our knowledge, the basis for the claim is not a decree, permit or license. The priority date provided is September 8, 1967. This is the date the deed was signed and not the date that the beneficial use commenced.

Item 7. Total Quantity Claimed. The total quantity claimed is .05 for 80-100 cow / calf pairs. The total quantity claimed should not exceed the diversion capacity of the system, nor the total of all the uses. It is unknown what the diversion capacity is for the system or the total of all uses.

Item 12. Describe Other Water Rights. The claimant identifies the other water rights used at the same place and the for the same purpose as 57-10354 and 57-10355. The claimant failed to identify a third water right which is identified as 57-10356. Such water rights are for ground water for domestic and stock water. If identify water rights as giving authority to water out of the stream, then this is not accurate.

Item 13. Remarks. The claimant makes the statement that, "From 1967 to the present, Jump Creek has been used to water 80-100 cow calf pairs continuously." This statement is not true on the points following:

The original owner, Lewis Cegnar, died in 1987. After the death of Mr. Cegnar, there were no cattle on the property for a significant period of time until the property was rented for pasture.

To the best of our knowledge, the claimant or any predecessor has never pastured 80-100 cow calf pairs on the property. We would estimate no more than 30-50 cow calf pairs have been pastured at any one time. The property is non-irrigable and cannot support 80-100 cow calf pairs.

There are two ground water permits for stock water which are identified as 57-10355 (1940) and 57-10356 (1944).

Why is the claimant applying for a water right? Over the years, whatever cattle have been pastured on the property have naturally used water from Jump Creek. The concern is that there will be a future diversion and pumping water to different location.