

**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 29-02566
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

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

Name: Paul Kendell

Address: 3131 W. Neeley Road; American Falls, Idaho 83211

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

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(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached.
11. **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 OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land. Three POUs are only described down to the section and there is BLM in these sections.

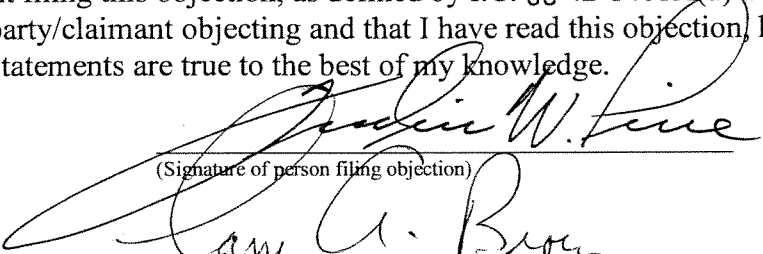
F.

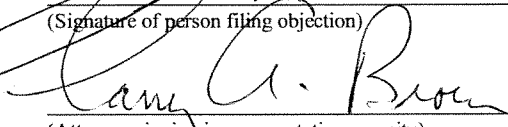
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

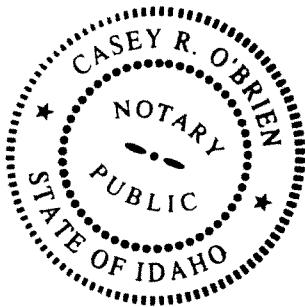
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

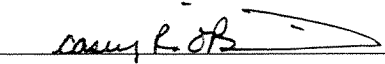
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 11/05/03




Casey R. O'Brien
Notary Public in and for the State of Idaho
Residing at: Nampa, ID.
My Commission Expires: 10-31-2009

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 Nov. 13, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

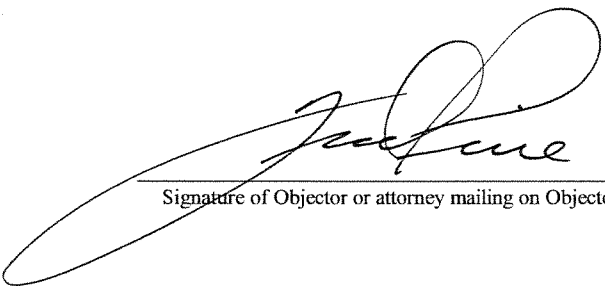
Name: Paul Kendell
Address: 3131 W. Neeley Road; American Falls, Idaho 83211
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2566

NAME AND ADDRESS: PAUL KENDELL
3131 W NEELEY RD
AMERICAN FALLS ID 83211

-Mixed POU

-The Places of Use listed below
without tract identifiers describes
both Private and Public Lands.
-Clarify the POUs such that it is
clear that only Private Land is intended.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.400 CFS
292.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-2612 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.42 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 896 AF.

PRIORITY DATE: 07/19/1961

POINT OF
DIVERSION: T08S R30E S11 SWSWSW Within POWER County
T08S R30E S11 SESWSE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	1.400 CFS 292.00 AFY

PLACE OF USE: IRRIGATION Within POWER County

T08S R30E S10 BLM/PVT	46.0	T08S R30E S10 Lot 1	3.9
T08S R30E S11 BLM/PVT	22.0	T08S R30E S11 Lot 3	NESW 9.1
T08S R30E S11 Lot 4	NWSW 17.0	T08S R30E S11	SWSW 40.0
T08S R30E S11	SESW 39.0	T08S R30E S14	NWNW 35.0
T08S R30E S15 BLM/PVT	15.0	T08S R30E S15 Lot 1	NENE 6.9

233.9 ACRES TOTAL

**-CLARIFY THE PLACES OF USE SUCH THAT IT IS CLEAR THAT ONLY PRIVATE LAND IS
INTENDED:**

T08S R30E S10 -NO TRACT LISTED BUT COULD BE NESE, SWSE, & SESE
T08S R30E S11 -NO TRACT LISTED BUT COULD BE NWSW & NESW
T08S R30E S15 -NO TRACT LISTED BUT COULD BE NENE & NWNE

07/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO THE SOUTH SIDE OF
THE SNAKE RIVER.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 83 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO
LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

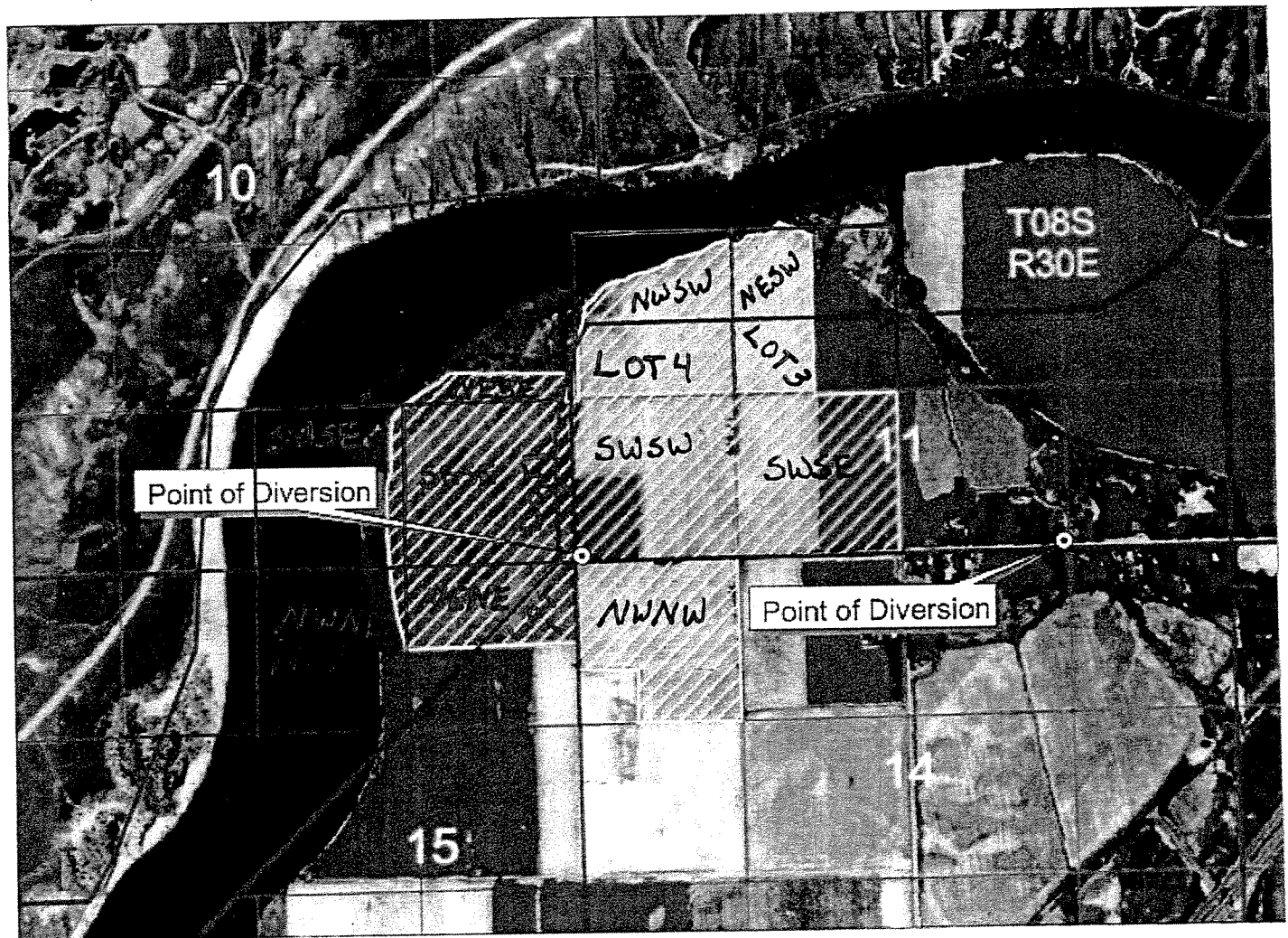
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.



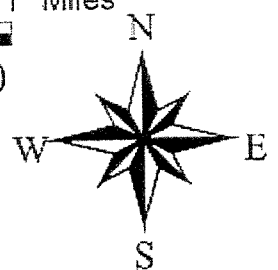
State of Idaho
Department of Water Resources
Eastern Region

Water Rights: 29-2566, 29-2612



0.5 0 0.5 1 Miles

1:16000

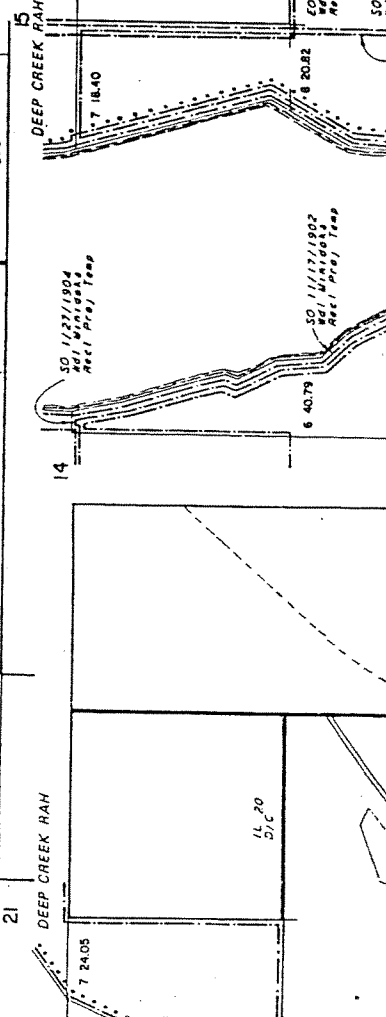
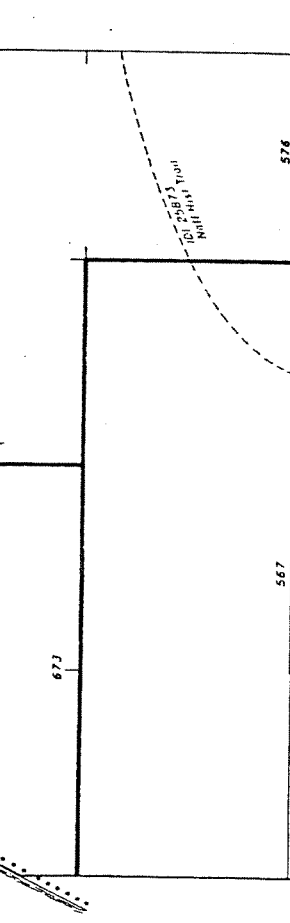
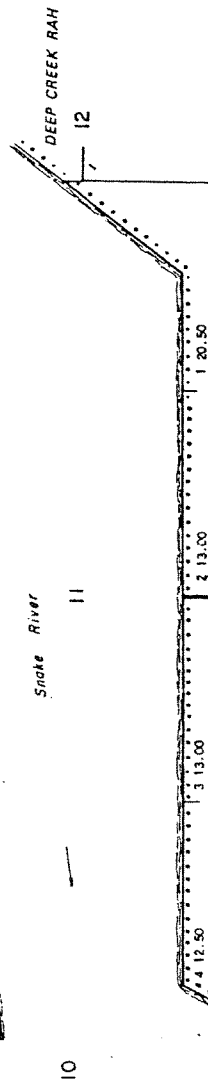


- ⊙ Point(s) of Diversion
- Place of Use

- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: P. Meyer
Date: August 2002

POWER COUNTY 077
BURLEY DISTRICT SEC 3
2



NO 1

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MTP
SUPPL Sec 11, 22, 28

[illegible]

BLM O 3/18/1984 Open to Entry Subj to Sec 2.4 FPA
 Part S Res 117 EO 7/2/1910
 Sec 11: Lots 7, 8

1 2556 BLM O C1 Mult Use, Power County,
Segr from appropriation under DLE, HE, IA, & PS
All unappropriated public land within

Soc 11: Lot 14, N 1/4 NE 1/4, N 1/4 NE 1/4
Soc 12: Lot 3

101 25873 Natl Hist Trail
Historical information only, does not include
public access

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document. The title is "The First Part of the Document". The author's name is "John Doe". The date is "12/12/2023".

Township 8 South
Range 30 East
Boise Meridian

D/C

766587
D/C

1 14555 62.5'

1 15090 C
BLM O CI
Non Suitable

12/10/1941
Recon US
All Min

1 9244

1 9244
1 6891

1 6891 IDI 32260 Amdt
Monitor Well

IDI 32260
12.5'

3 34.20 2 28.50

SEE SUPPLEMENTAL
NO 1

D/C

4 34.00

IDI 30595
5' Buried

River

5 21.80

8 22.28

302
ka
Temp

9 39.03

Snake

10 9.98

29.16

12 8.31

13 24.11

4
a
emp

567

2 24.50 1924
D/C

754
D/C

772
D/C

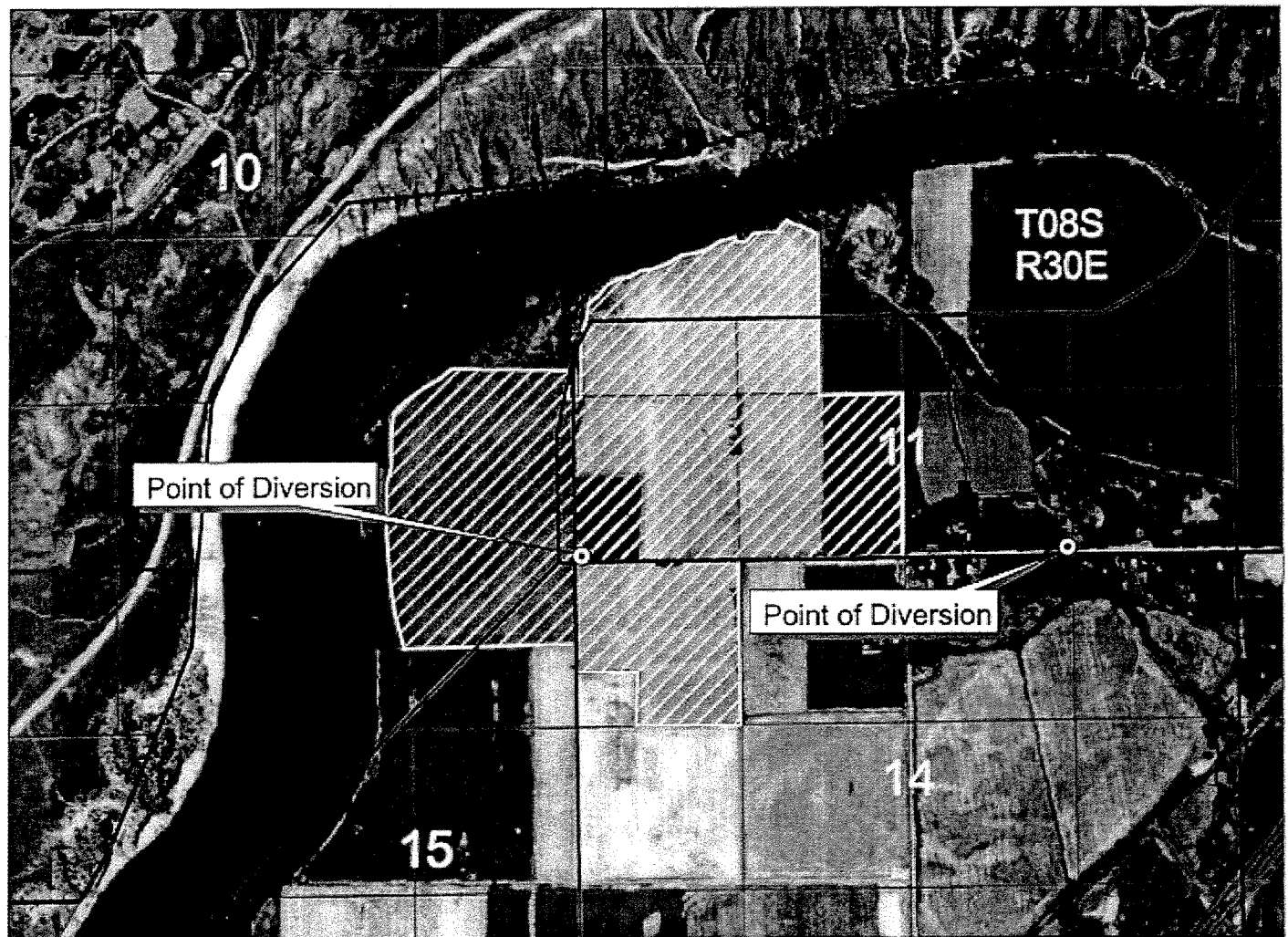
267425
D/C

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Natl Hist Tra



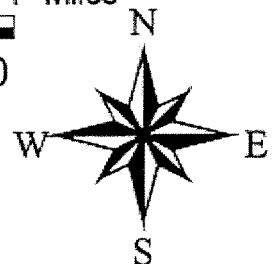
State of Idaho
Department of Water Resources
Eastern Region

Water Rights: 29-2566, 29-2612



0.5 0 0.5 1 Miles

1:16000



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