

**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 29-04083
(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: Ivan Bingham

Address: P.O. Box 310; Tremonton, Utah 84337

Name: Marti E. Bingham

Address: P.O. Box 310; Tremonton, Utah 84337

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: See attached.
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: _____
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 United States of America, through the Bureau of Land Management, is the owner of the land upon which POD is claimed. There is no POD at the recommended location. BLM believes the POD should be described as NESWNE, S35, T10S, R32E. "The POD is near the line dividing the SWNE and SENE. S35. T10S. R32E."

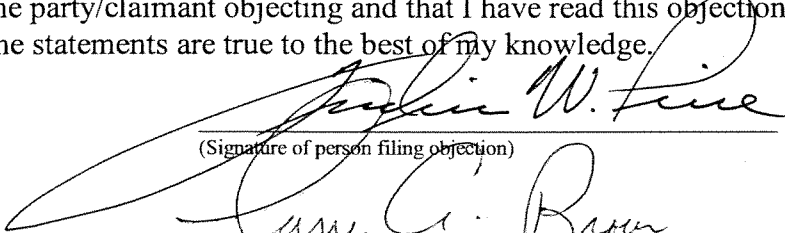
F.

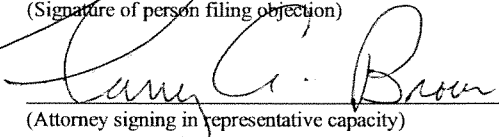
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

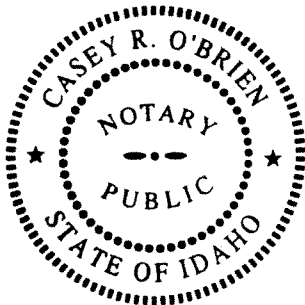
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

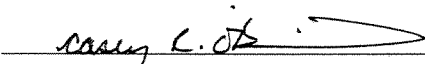
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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:

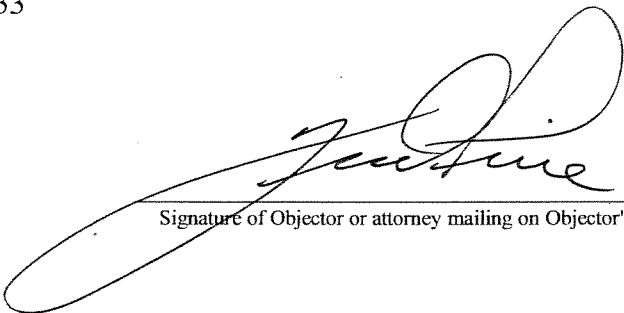
Name: Ivan Bingham
Address: P.O. Box 310; Tremonton, Utah 84337
Name: Marti E. Bingham
Address: P.O. Box 310; Tremonton, Utah 84337
Name:
Address: ;
Name:
Address: ;

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: 29-4083
NAME AND ADDRESS: MARTI E BINGHAM
PO BOX 310
TREMONTON UT 84337

IVAN BINGHAM
PO BOX 310
TREMONTON UT 84337

SOURCE: UNNAMED STREAM TRIBUTARY: RIGHT FORK KNOX CREEK

QUANTITY: 0.360 CFS

PRIORITY DATE: 06/14/1932

POINT OF
DIVERSION: T10S R32E S35 NESWNE Within POWER County
POINT OF DIVERSION IS ON LINE DIVIDING T10S, R32E, S35, NWNE AND SWNE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.300 CFS

PLACE OF USE: IRRIGATION Within POWER County
T10S R32E S35 NESE 13.0 T10S R32E S35 SESE 2.0
STOCKWATER Within POWER County
T10S R32E S35 NESE
DOMESTIC Within POWER County
T10S R32E S35 NESE

15 ACRES TOTAL

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 - Beneficial Use

POD ON BLM

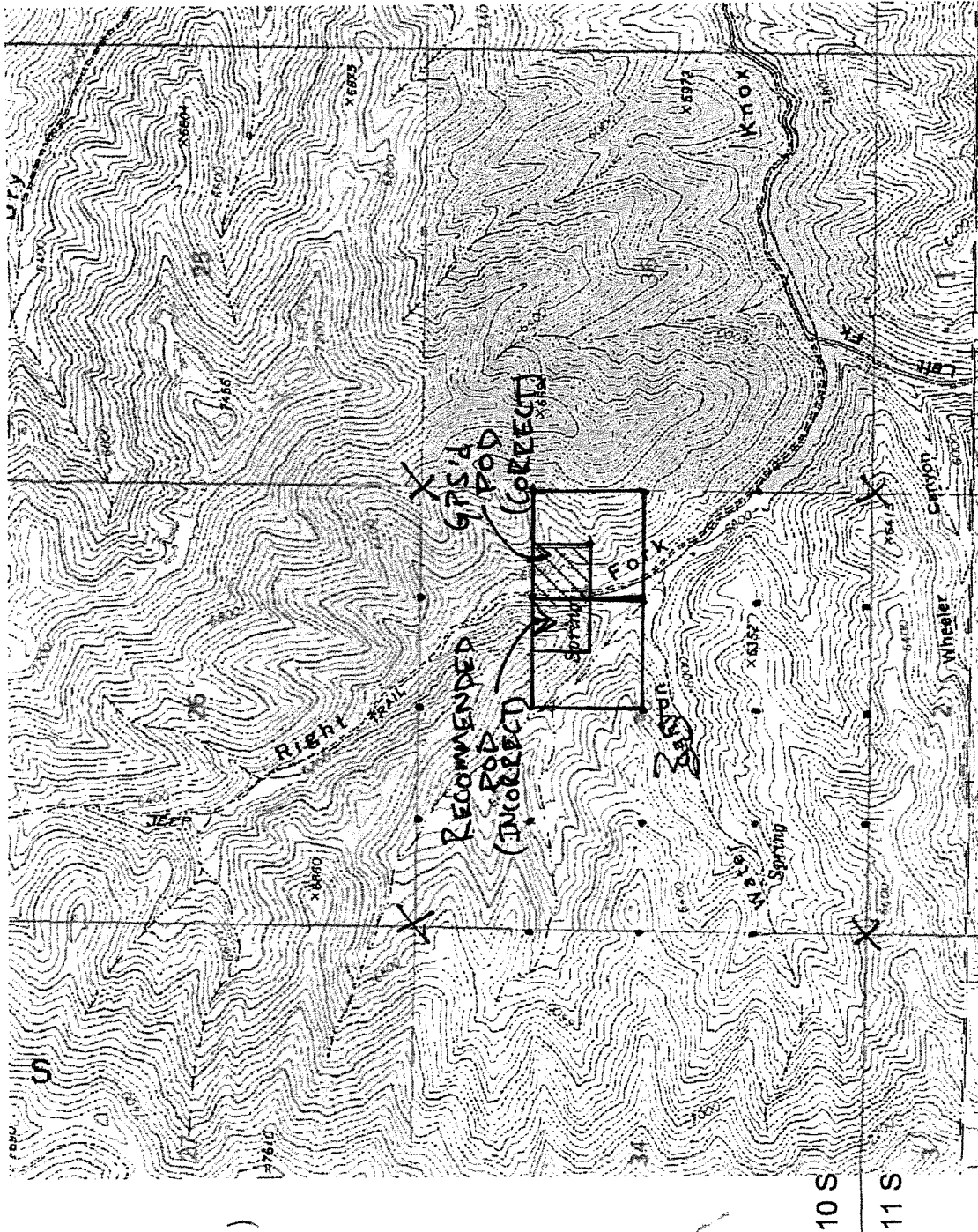
-THE POINT OF DIVERSION LISTED BELOW IS ON FEDERAL PUBLIC LAND

-NO POD EXISTS AT THIS LOCATION, CORRECT POINT OF DIVERSION

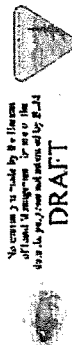
NESWNE S35, T10S, R32E

-POSSIBLE TYPO, POINT OF DIVERSION WAS CLAIMED AT NWSENE, S35 , T10S, R32E

SRBA Claim #29-4083



- + Point Determined by GPS
- Surface Ownership
 - BLM
 - BIA
 - LU_DOI
 - LU_USDA
 - MIL
 - NPS
 - USFWS
 - PRIVATE
 - STATE
 - US Forest Service



050103em

Quad Map Name: Bannock Peak



1:24000

T0S R. 32 E. R. 33 E.

BLM administered land claimed by private claimant



Note: Depicted 40 acre tracts are POUs and 10 acre tracts are PODs unless otherwise noted.

5

56 10/11/1913

24

10' Buried
10' 26875

T10S R3ZE

25

34

BLM

-35-

CC
K.

[illegible]

11/15/17
11025011

56 10/1/1913

Lat 42°30'12.2" N
Long 112°39'12.4" W

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

POWER COUNTY 077
BURLY DISTRICT SEC 3
DEEP CREEK RAH

T105 R32 E

MT PLAT



FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
4,000,000	

USE PLAYS.

SCALE in Chains

WARNING STATEMENT

WARNING STATEMENT

This plan is the Bureau's forecast of inflation and should be used only as a guide to display at the township office. It is not to be used as a basis for any other action.

Boise Mar
T. 105
R. 125