

**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** 29-13249

(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: Mike Chambers

Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217

Name: Eileen M. Chambers

Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217

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 the POD is claimed. There is no POD in the SWSE, S34, T06S, R38E. BLM believes the POD should be described as SWSE, S33, T06S, R38E.

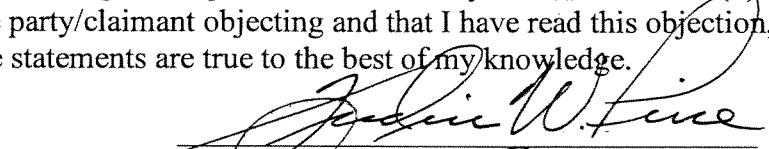
**F.**

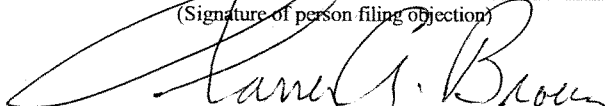
**VERIFICATION (Must be Completed)**

State of Idaho )  
                          ) ss.  
County of Ada )

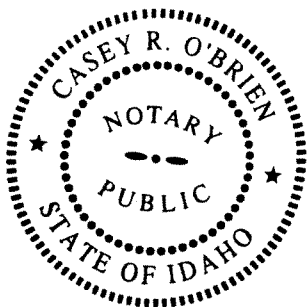
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

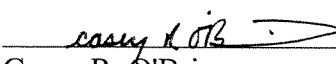
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

  
(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:

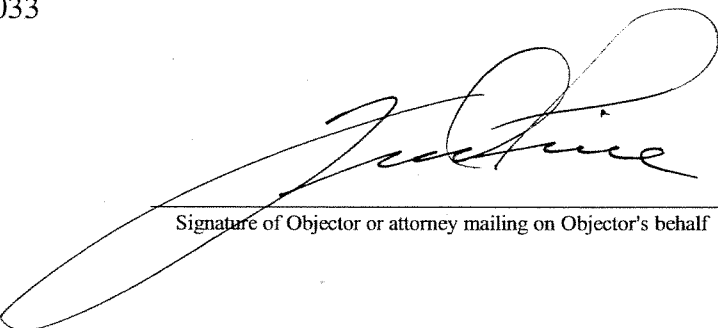
Name: Mike Chambers  
Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217  
Name: Eileen M. Chambers  
Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217  
Name:  
Address: ;  
Name:  
Address: ;

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: 29-13249  
NAME AND ADDRESS: MIKE CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217  
  
EILEEN M CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

-POD on BLM  
-Perhaps the POD is a typographical error

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 2.480 CFS  
577.50 AFY

PRIORITY DATE: 06/18/1902

POINT OF  
DIVERSION: BLM T06S R38E S34 SWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                              | 04/15 09/15          | 2.480 CFS       |
| THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT. |                      |                 |

PLACE OF USE:

IRRIGATION Within CARIBOU County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T06S R38E S33       | SWSE | 10.0 | T06S R38E S33       | SESE | 18.0 |
| T06S R38E S34       | NENE | 38.0 | T06S R38E S34       | NWNE | 7.0  |
| T06S R38E S34       | SWNE | 37.0 | T06S R38E S34       | SENE | 40.0 |
| T06S R38E S34       | SENE | 10.0 | T06S R38E S34       | NESW | 30.0 |
| T06S R38E S34       | NWSW | 8.0  | T06S R38E S34       | SWSW | 32.0 |
| T06S R38E S34       | SESW | 3.0  | T06S R38E S34       | NWSE | 14.0 |
| T07S R38E S03 Lot 4 | NWNW | 10.0 | T07S R38E S04 Lot 1 | NENE | 10.0 |
| T07S R38E S04 Lot 2 | NWNE | 1.0  |                     |      |      |

268 ACRES TOTAL

-POD should be represented as S33, SWSE, T06S, R38E as indicated in IDWR Shape File  
-Perhaps another POD (SWSESE, S33, T06S, R38E) should be included for feeder ditch off of Toponce Creek to irrigate POU's in S34.

07/10/2003

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

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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 - Decreed

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

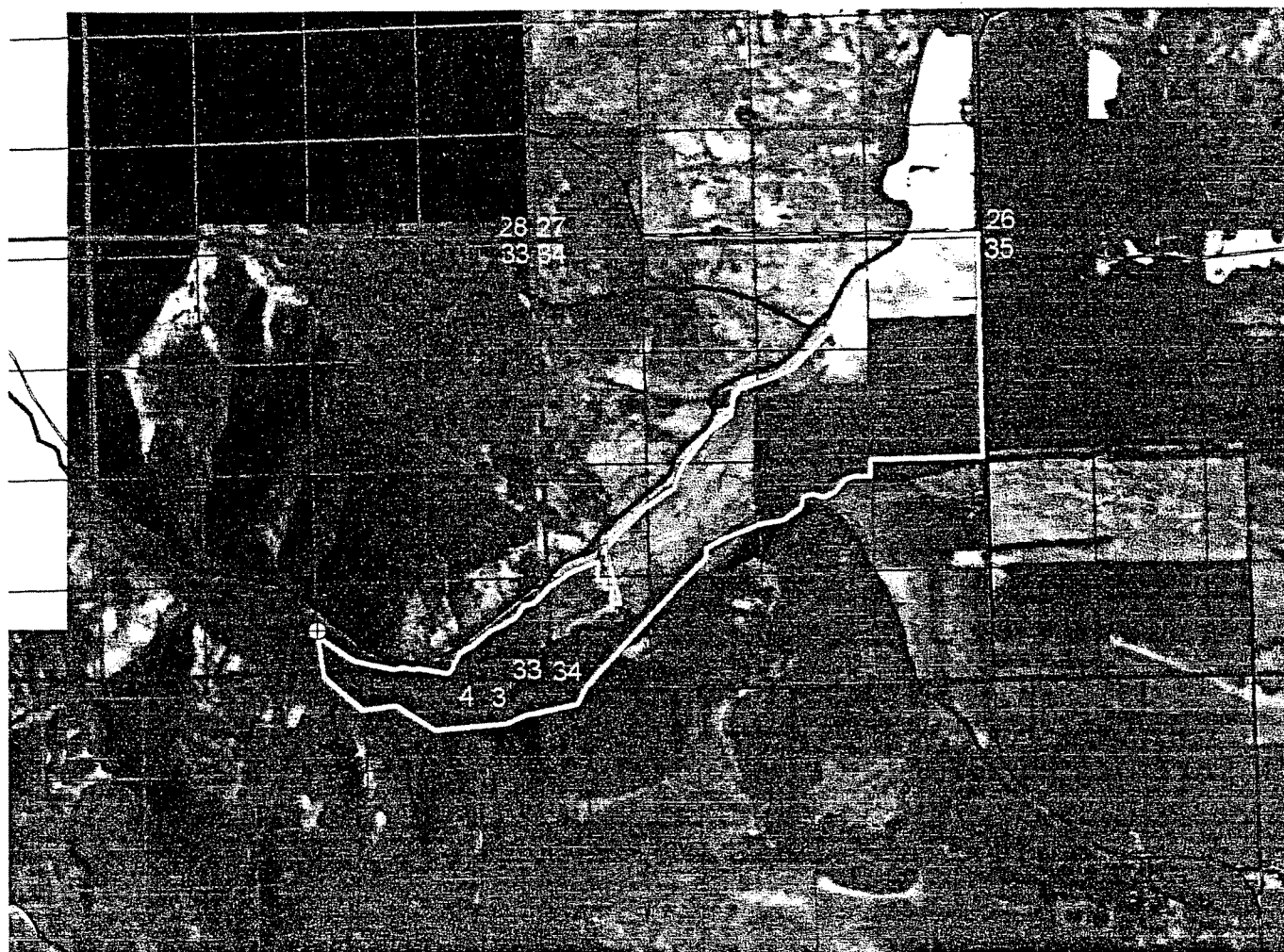
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

## Water Right(s) 29-13249



800 0 800 1600 Feet

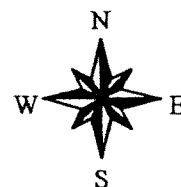
### LEGEND

- ⊕ Point of Diversion
- Place of Use

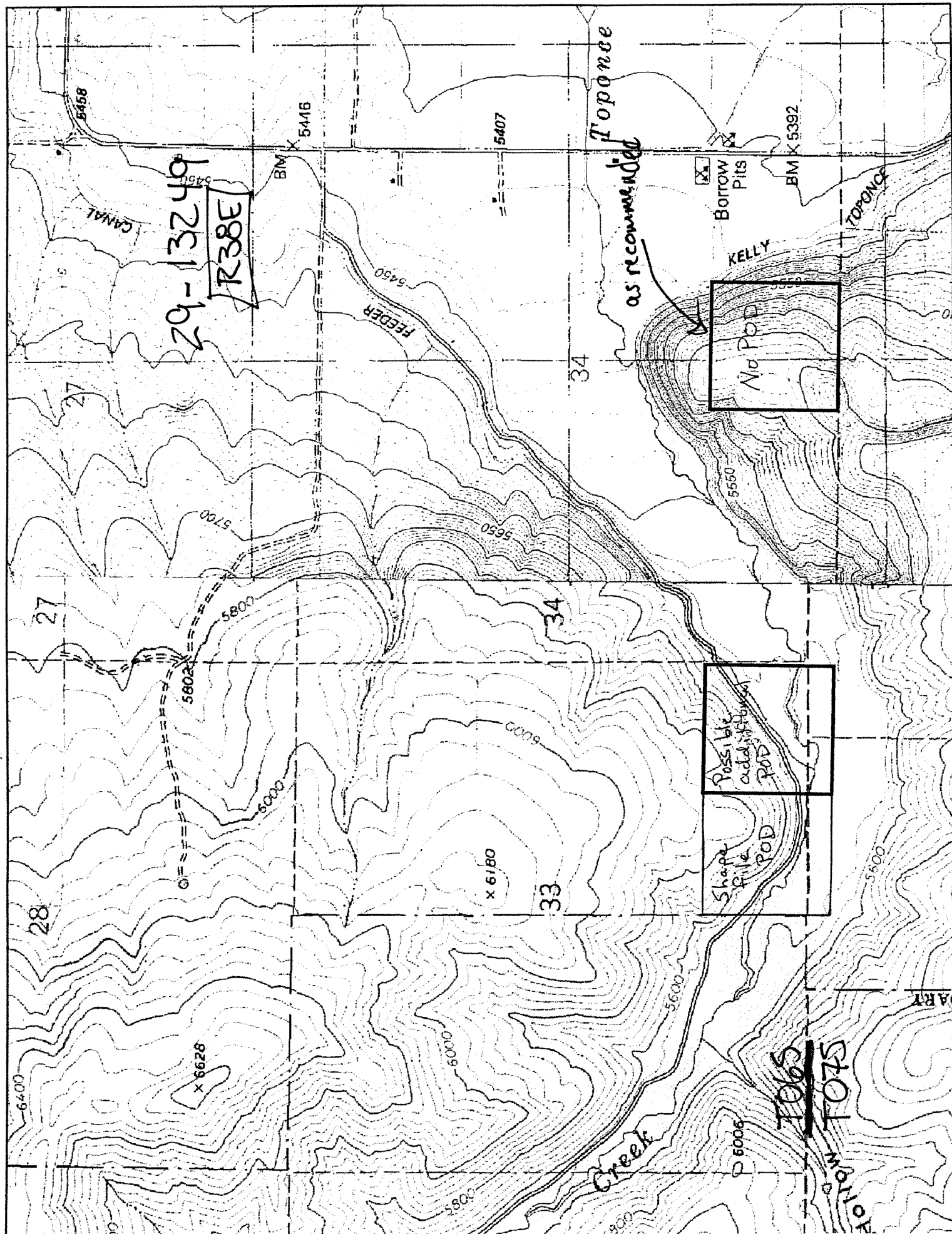
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

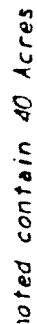
Place of Use: T6S, R38E  
(part of) Sections 33 and 34.  
T7S, R38E (part of) Sections 3 and 4.

Point of Diversion: T6S, R38E  
Sec. 33 SWSE



GIS Place of Use Illustration  
1987/88 NAPP PHOTOGRAPHY  
Prepared by C. Bird  
Date: April 2002





IDAHO FALLS DISTRICT SEC 15

POCATELLO RAH  
WARNING STATEMENT

SCALE IN CMMIS.

10 5 0 10 20 30

POCATELLO RAH  
WARNING STATEMENT

This plat is the Bureau's Record of Title, and show only as a graphic display of the township survey

|     | 10  | 5  | 0  | 10  | 20  | 30  | 60  |
|-----|-----|----|----|-----|-----|-----|-----|
| 10  | 10  | 5  | 0  | 10  | 20  | 30  | 60  |
| 20  | 20  | 10 | 5  | 20  | 30  | 40  | 70  |
| 30  | 30  | 20 | 10 | 30  | 40  | 50  | 80  |
| 40  | 40  | 30 | 20 | 40  | 50  | 60  | 90  |
| 50  | 50  | 40 | 30 | 50  | 60  | 70  | 100 |
| 60  | 60  | 50 | 40 | 60  | 70  | 80  | 110 |
| 70  | 70  | 60 | 50 | 70  | 80  | 90  | 120 |
| 80  | 80  | 70 | 60 | 80  | 90  | 100 | 130 |
| 90  | 90  | 80 | 70 | 90  | 100 | 110 | 140 |
| 100 | 100 | 90 | 80 | 100 | 110 | 120 | 150 |

T6S R38E

MT PLAT

[illegible]

TO 7868 4/15/1938 Int Juris of Acq Lands from  
Dept of Agr to Dept of Int, EIA  
All land lying within Fort Hall Ind Res  
1 012104 Del PL 167 Act of Cong 7/23/1938  
completed 6/28/1961. All Nat Acq Act by U

L20119\_KPLA\_Chesterfield\_Renys  
 Sec 1: 601 250 131112.11

FOR ORDERS EFFECTING PHYSICAL TRANSFER OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
SIMULTANEOUS DOCUMENTS

**CURRENT TO**

**CURRENT TO**

**USE FLATB.**

56 616/150  
231 42° 12' N  
250 111° 45'

