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MAY 08 2003

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)

A. Subcase 22-10044
(Insert water right number)

Case No. 39576)

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: Joseph J. and Betty J. Jensen

Address: 5195 W. Hwy 33; Rexburg, Idaho 83440

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.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

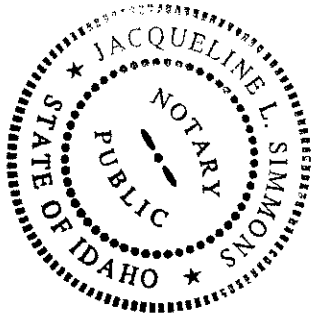
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 5-4-06



Jacqueline L. Simmons
~~Linda C. Buck~~

Notary Public for State of Idaho
Residing at: Mountain Home, ID Boise, Idaho
My Commission Expires: 12-21-2011 4-7-2011

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 May 4, 2006, 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:

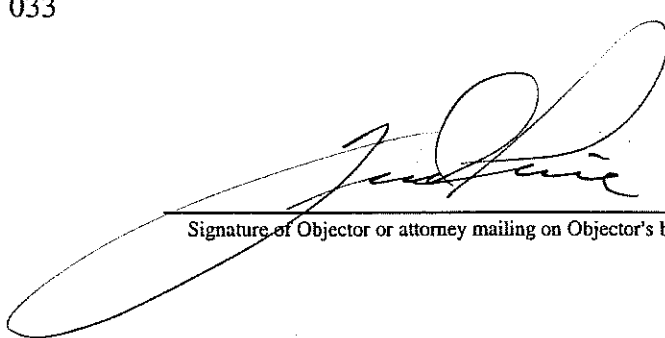
Name: Joseph J. and Betty J. Jensen
Address: 5195 W. Hwy 33; Rexburg, Idaho 83440
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

02/24/2006

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

RIGHT NUMBER: 22-10044
NAME AND ADDRESS: JOSEPH J JENSEN
5195 W HWY 33
REXBURG ID 83440
BETTY J JENSEN
5195 W HWY 33
REXBURG ID 83440

Mixed POUs:

-The places of use described below contains both private and public lands.
-Clarify such that it is clear only private land is intended.

SOURCE: GROUND WATER
QUANTITY: 0.650 CFS
140.00 AFY
PRIORITY DATE: 06/25/1953
POINT OF DIVERSION: T06N R39E S20 SWNESE Within MADISON County
PURPOSE AND PERIOD OF USE:

TRIBUTARY:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.650 CFS 140.00 AFY

PLACE OF USE: IRRIGATION Within MADISON County

PLACE OF USE	SECTION	ACRES	QUANTITY	Notes
Mixed POU	T06N R39E S20 NESE	4.00	0.650 CFS 140.00 AFY	Mixed POU
	T06N R39E S20 SWSE	14.00		
	T06N R39E S20 SESE	20.00		
40 ACRES TOTAL				

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

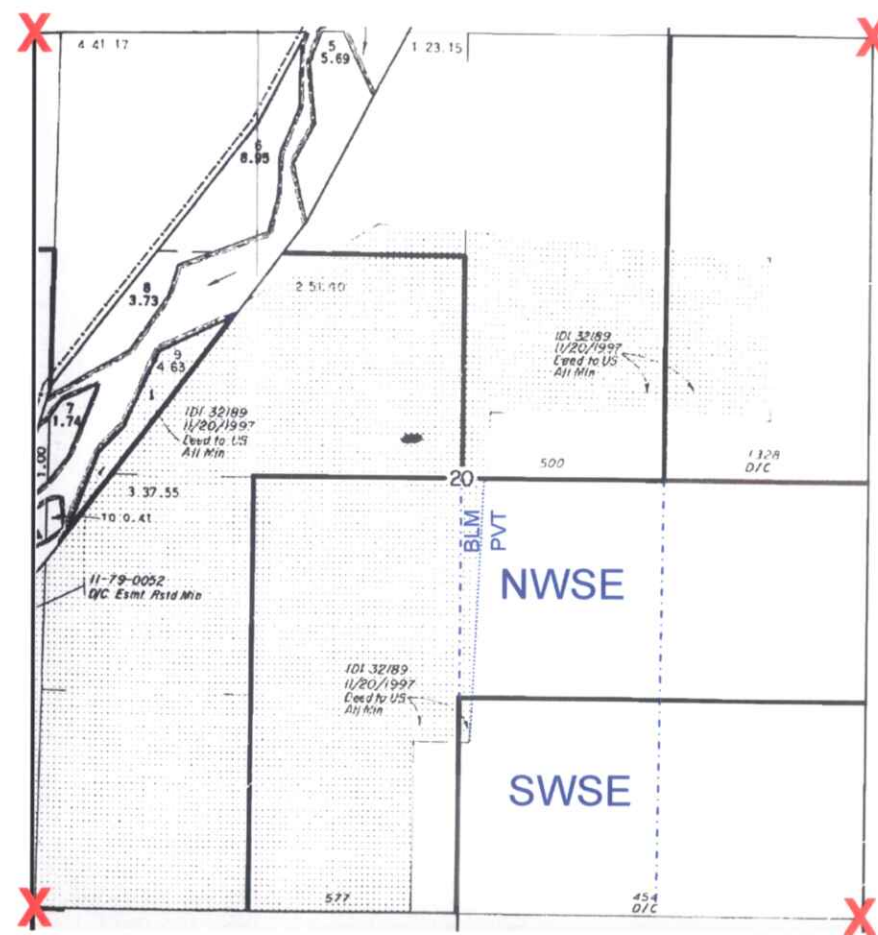
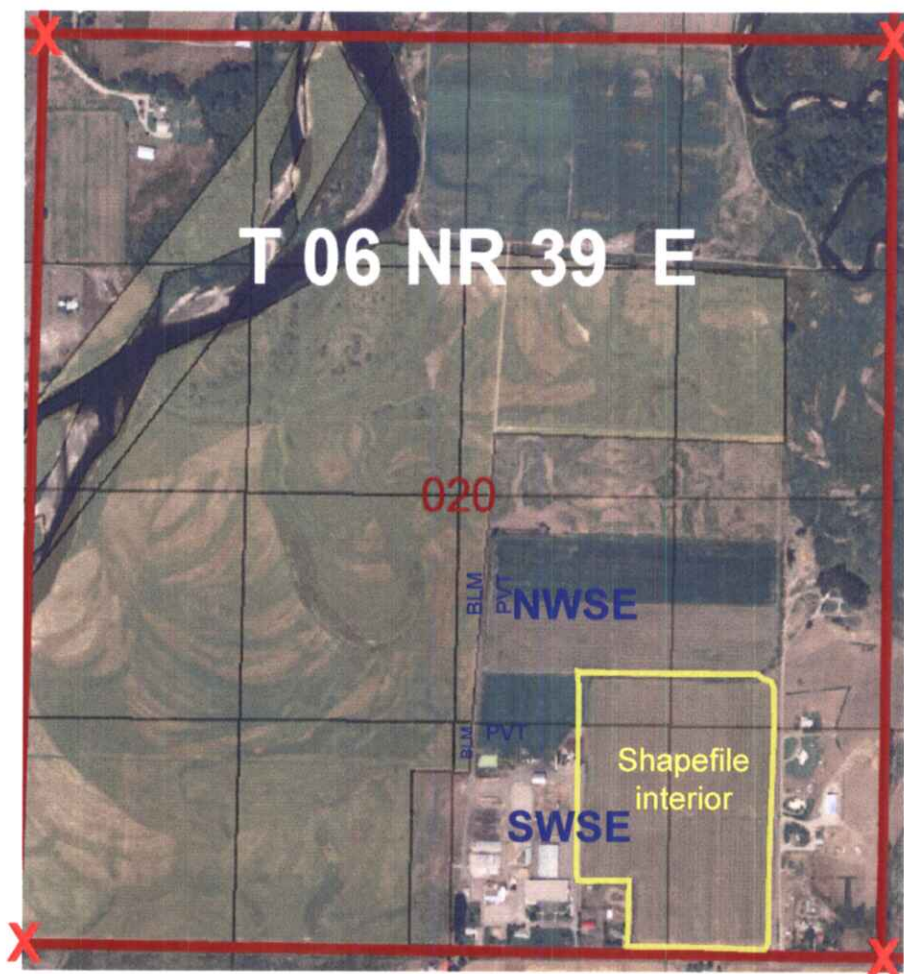
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 22-2303.

Rights No. 22-2303B and 22-2303C are also diverted through point of diversion described above.

22-10044



Since the NWSE and SWSE contains both private and public lands, please insert the following language under place of use to clarify these POUs such that only private land is intended:

"The place of use does not include federal public lands."

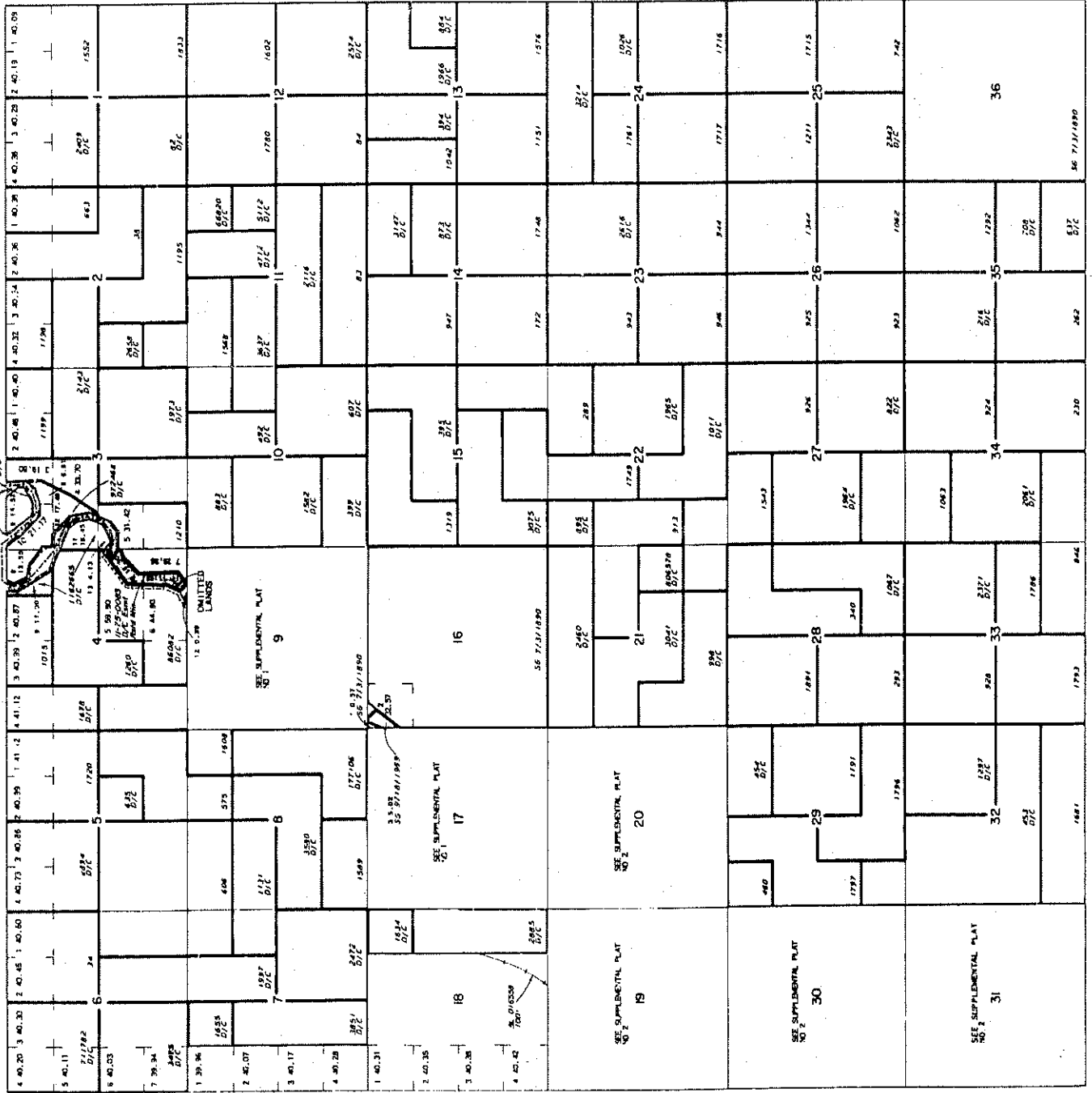
TOWNSHIP 6 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

MADISON COUNTY OGS

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

IDAHO FALLS DISTRICT SEC 3 10/25/1939 IDAHO FALLS DISTRICT SEC 15

Heaters Fork of Snake River



MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
1	6	39	1
2	6	39	2
3	6	39	3
4	6	39	4
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6	6	39	6
7	6	39	7
8	6	39	8
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36	6	39	36

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

CURRENT TO	CURRENT TO
JUL 3 0 1998	
USE PLATS	

WARNING STATEMENT

07-01, C. L. 1998

THE NOTATION SHOWN ON WITHDRAWS REPRESENT THE LAST

Base Map