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Department of Water Resources
Adjudication Bureau

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 01-00034B
(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: Horace E. Hill

Address: 4263 W. 6800 S.; 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 made to 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.

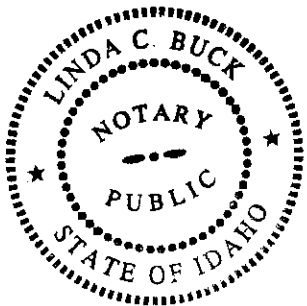
Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

04-16-07

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

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 4-16, 2007, 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:

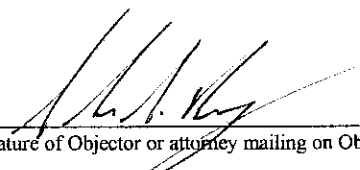
Name: Horace E. Hill
Address: 4263 W. 6800 S.; Rexburg, Idaho 83440
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

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

RIGHT NUMBER: 1-34B

Missing QQ description:

NAME AND ADDRESS: MORACE B HILL
4263 W 6800 S
REXBURG ID 83440

-T05N R39E S34 1.00 acre is missing legal description.

SOURCE: SNAKE RIVER

Mixed POUs:

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2,500 CFS

-Places of Use identified below contain both public and private land.

PRIORITY DATE: 06/01/1903

-Please clarify such that only private land is intended by describing either
Lots or clarifying the nominal aliquot by including Tract numbers.

POINT OF

DIVERSION: T05N R39E S35 SESENW Within MADISON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/01 10/31

2,500 CFS

PLACE OF USE:

IRRIGATION in MADISON County**Mixed**

T05N R39E S27	SWSW	28.00	T05N R39E S27	SESW	16.00
T05N R39E S28	SESW	1.60	T05N R39E S34		1.00
T05N R39E S34	SWNE	1.40	T05N R39E S34 Lot 7 NENW		15.00
T05N R39E S34 Lot 8 NWNW		7.10	T05N R39E S34 Lot 6 SENW		1.20

**Mixed
QQ missing**

71.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 71.3 acres in a single irrigation season. Combined Right Nos.: 1-34B, 1-10110, 1-10111, 1-10115, 1-10116, and 1-10113.

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

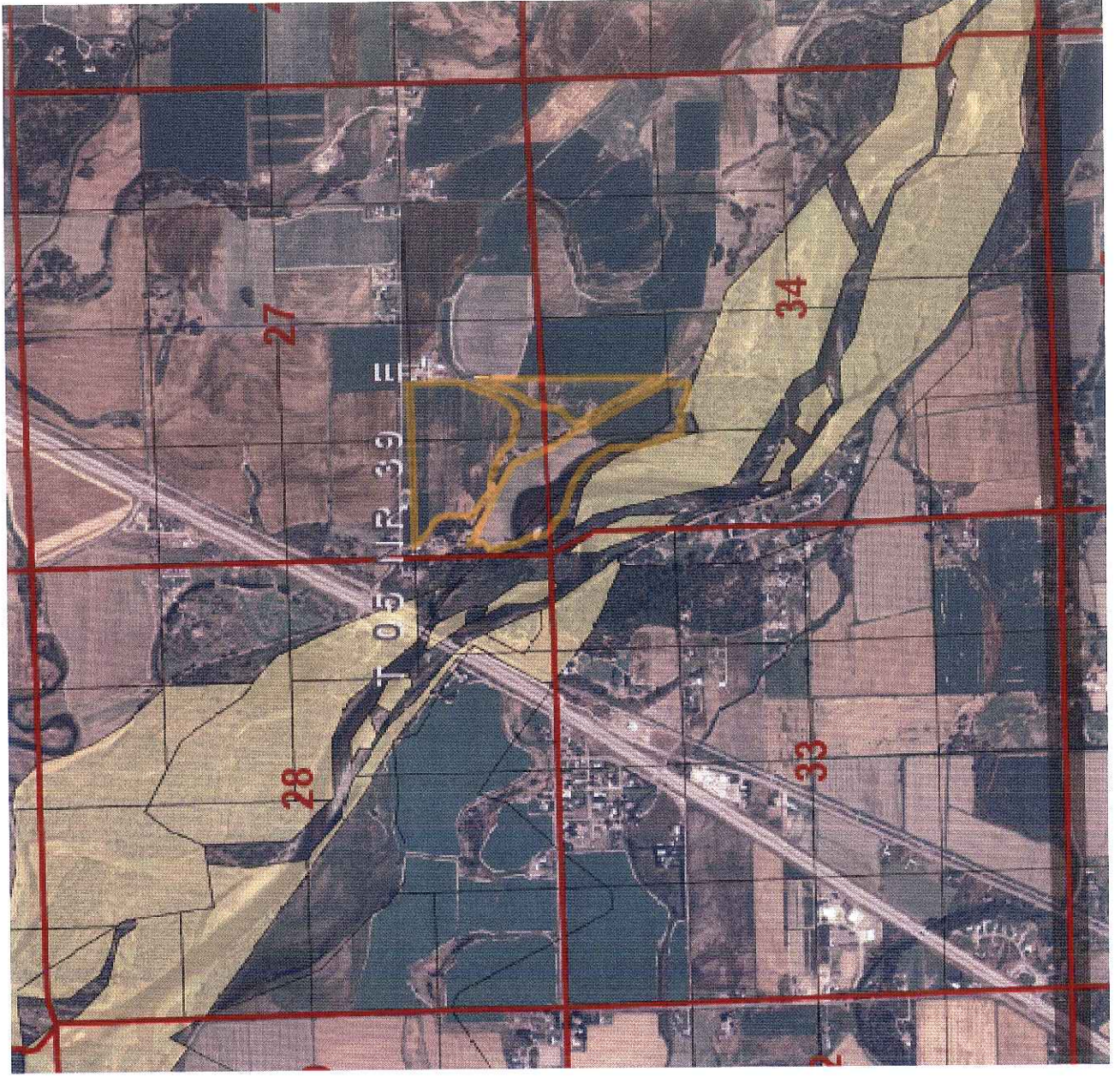
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Bannock Jim Canal to Hill Petinger Ditch.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

01-00034B, 01-10110, 01-10111, 01-10113, 01-10115, 01-10116
Horace E. Hill



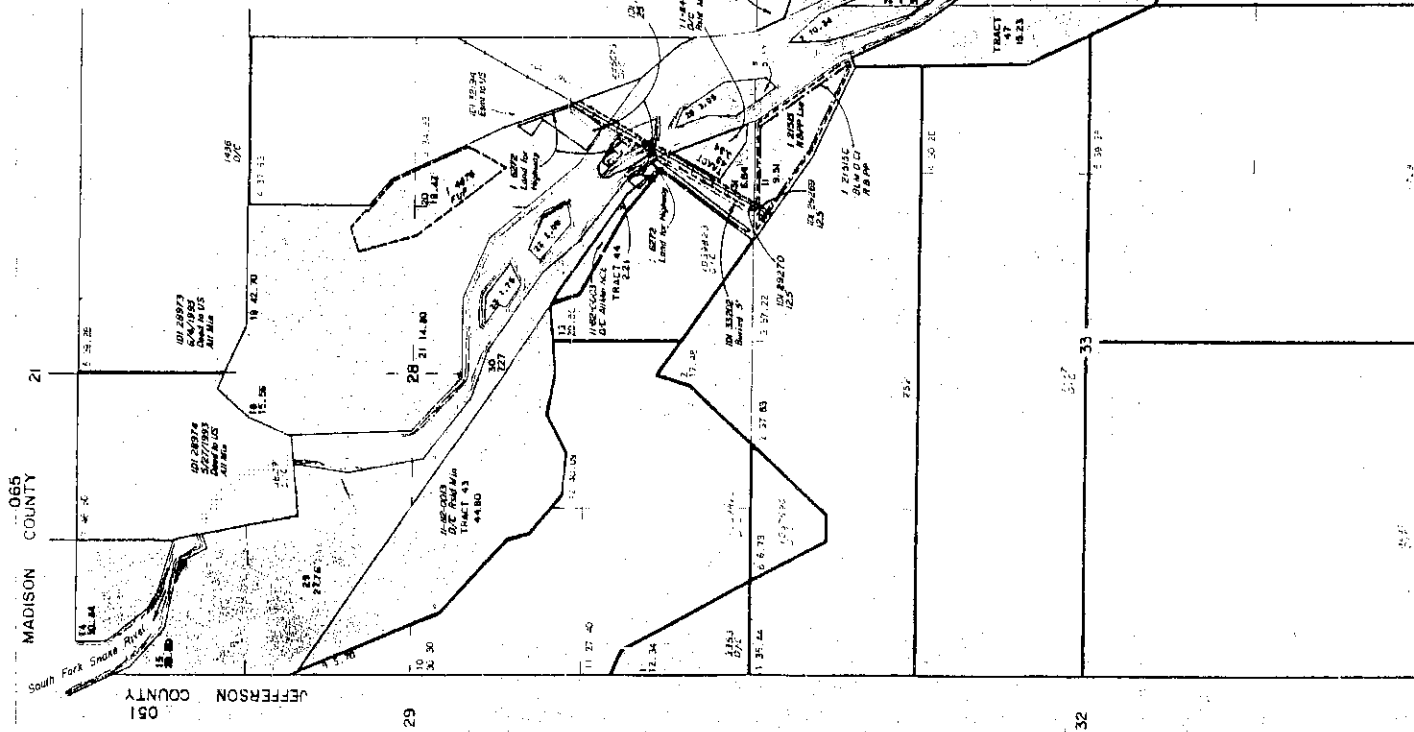
Horace E. Hill



Mixed POUs: -This recommendation describes both private and public lands. The unblotted portions of Place of Use descriptions T05N R39E S27 SWSW and T05N R39E S34 NWNW, SWNW, and SENW could be described further under Place of Use as Tracts 41 and 42, which would satisfy BLM's objection. The POUs described as SESW, S28 and SWNE, S34 appear to be typographical errors.

TOWNSHIP 5 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS
MTP
SUPPL Sec 28, 33, 34



INDEX TO SEGREGATED TRACTS		
TRACT NO.	ORIGINAL SURVEY	SUBDIVISION
1	1897	1897
2	1897	1897
3	1897	1897
4	1897	1897
5	1897	1897
6	1897	1897
7	1897	1897
8	1897	1897
9	1897	1897
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31	1897	1897
32	1897	1897
33	1897	1897
34	1897	1897

1. 3868 Offer of omitted lands to Preference Rights
Clements pursuant to Act of Cong 3/3/1962
Sec 28: Part Lot 16, 17, 24, 25, 26
Sec 33: Part Lot 9, 10
Sec 34: Part Lot 9, 11, 13, 14, 17, 19, 21
2. 38192 R/W Flood Control Levees
Sec 28 Lot 29, 30

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

CURRENT TO	CURRENT TO
MAY 0 7 2001	
USE PLATS	

OMITTED LANDS
THE STATUTORY CHAIN IN WITHDRAWAL DEPENDENT THE 1 ACT

WARNING STATEMENT

SCALE in Chains

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