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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 01-10110
(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)

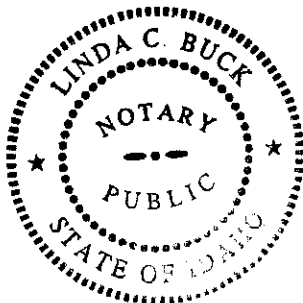
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Berman
(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: ;

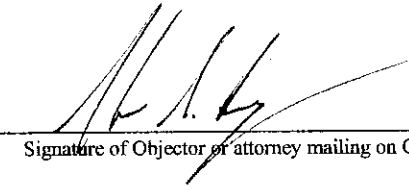
Name:
Address: ;

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: 1-10110
NAME AND ADDRESS: HORACE B HILL
4263 W 5800 S
REXBURG ID 83440

Missing QQ description:

-T05N R39E S34 1.00 acre is missing legal description.

SOURCE: SNAKE RIVER

Mixed POUs:

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.120 CFS

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

PRIORITY DATE: 06/01/1986

-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

0.120 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 SENE 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

71.3 ACRES TOTAL

Mixed**QQ missing**

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

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

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

This right is a split from former right 1-81B.

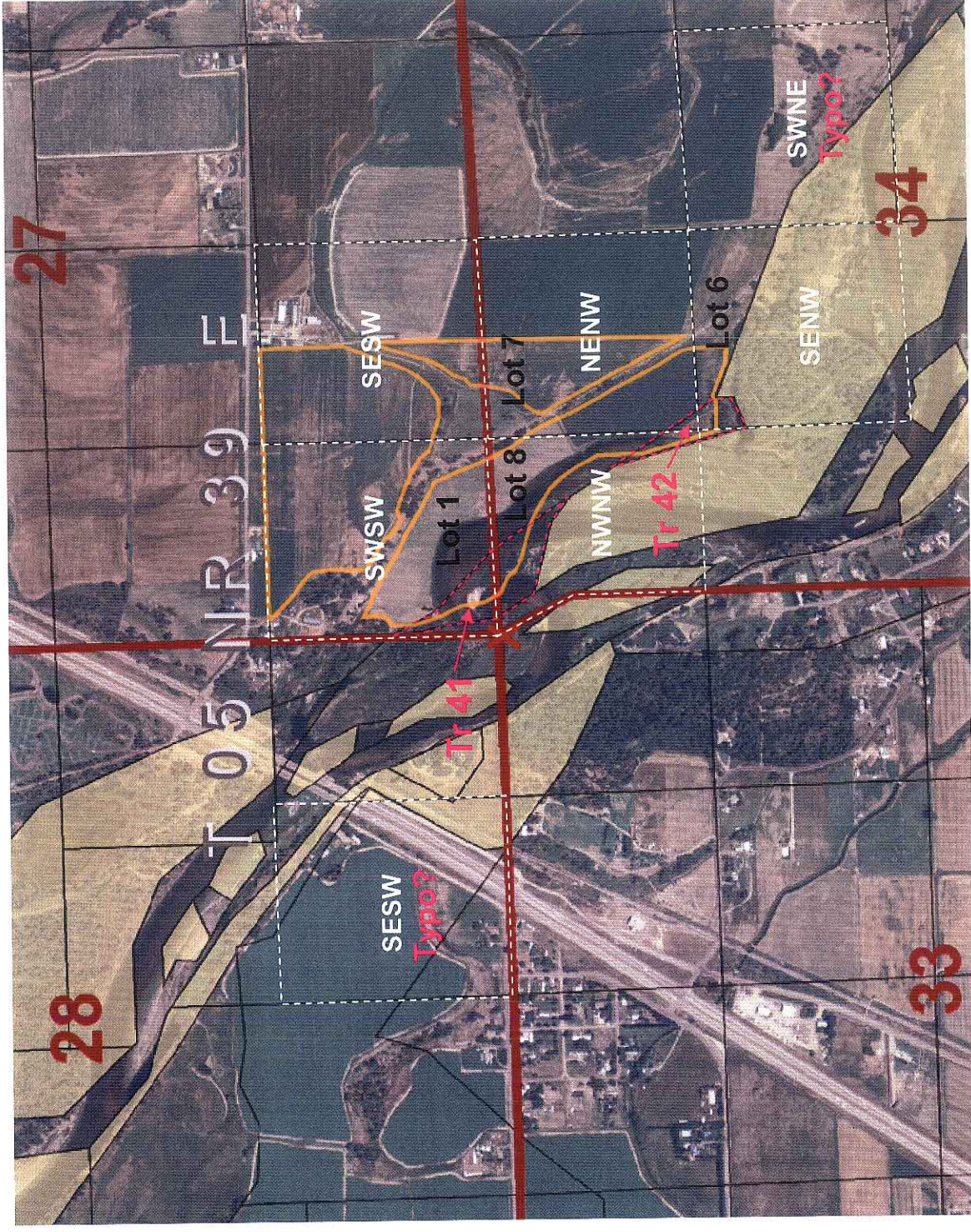
Water is delivered through Bannock Jim Canal to Hill Pettinger Ditch.

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



01-00034B, 01-10110, 01-10111, 01-10113, 01-10115, 01-10116

Horace E. Hill



Mixed POUs:

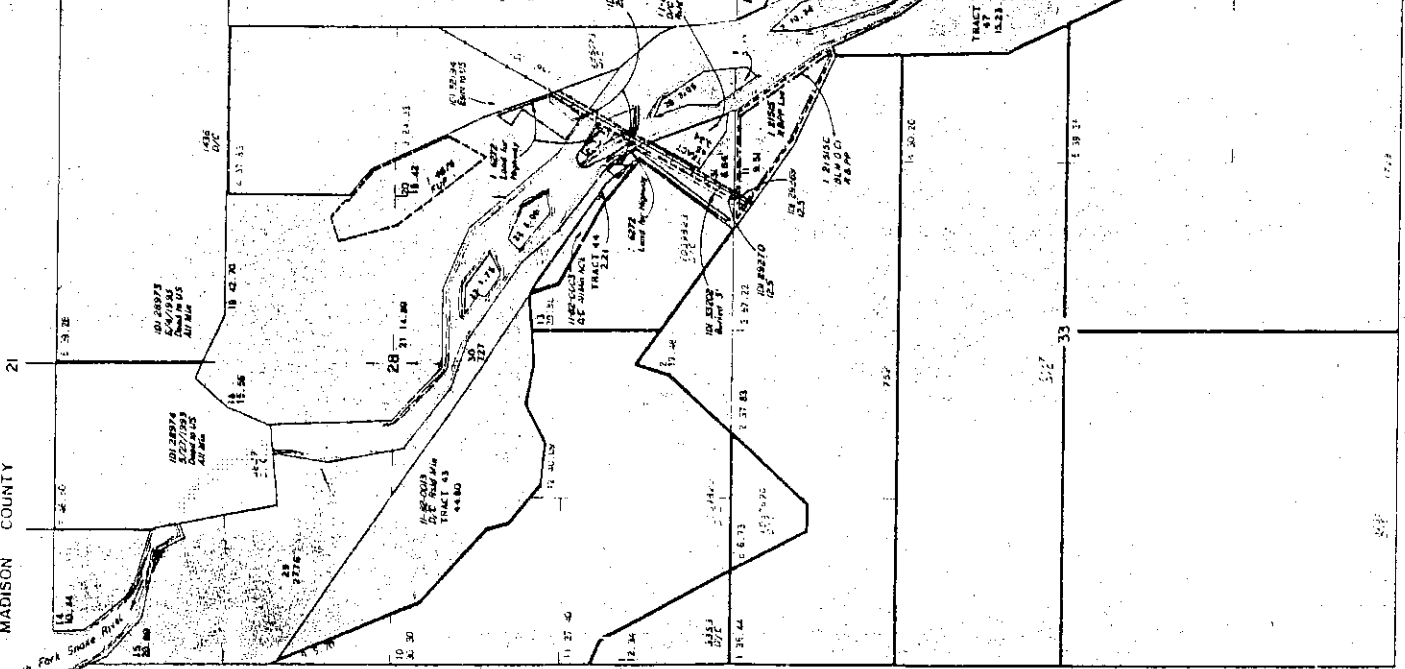
-This recommendation describes both private and public lands. The unlotted portions of Place of Use descriptions T05N R39E S27 SWSW and T05N R39E S34 NWNW, SWNW, and SENW could be described further under Place of Use as Tracts 41 and 42, which would satisfy BLM's objection. The POUs described as SESW,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

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

MADISON COUNTY

065

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JEFFERSON COUNTY

051

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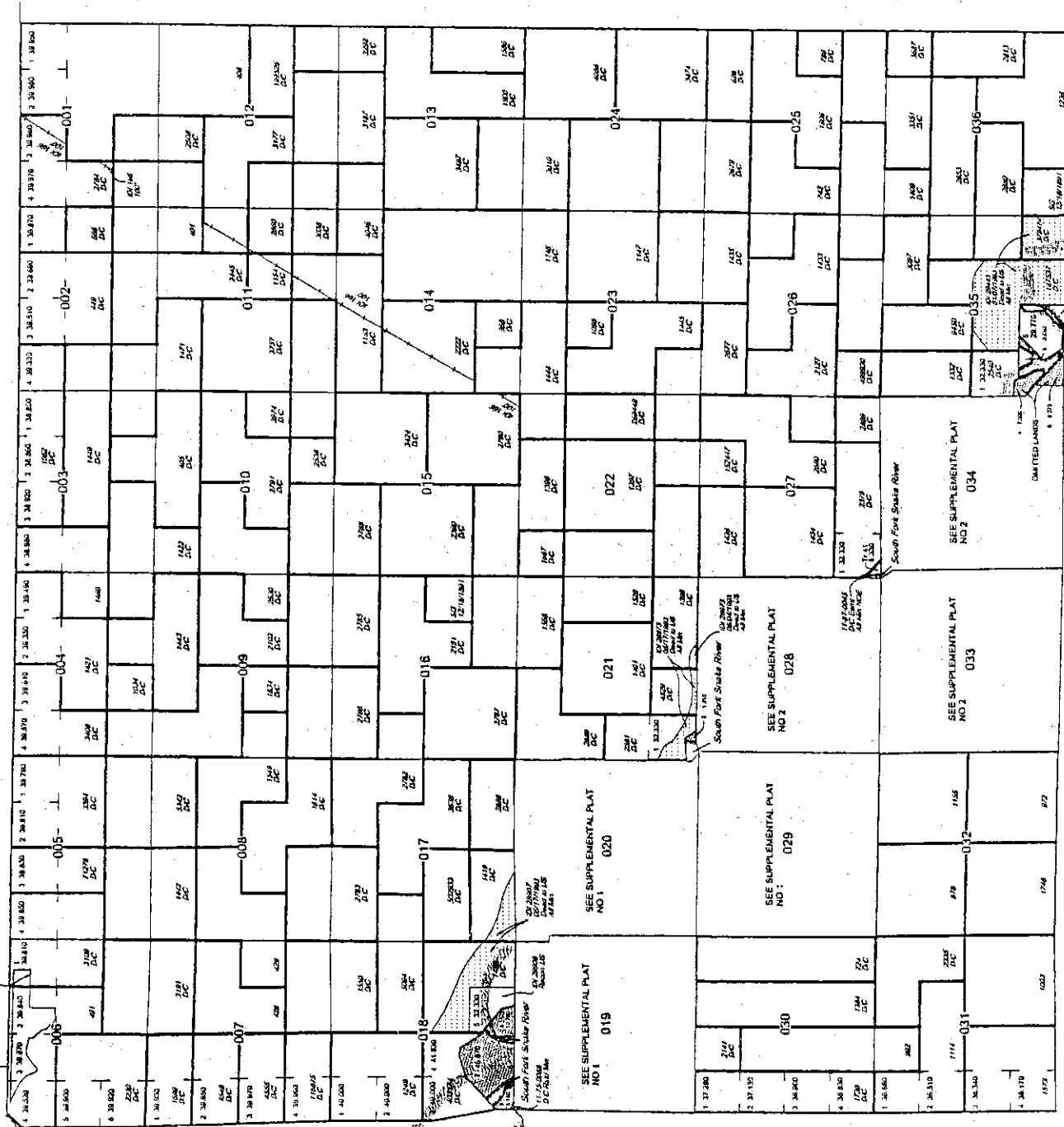
319

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

SECTION 15

6 N 39 E
39 39 E



JEFFERSON COUNTY 051
JEFFERSON COUNTY 055
MADISON COUNTY 055

Scale: 1" = 1 mile
Scale: 1" = 1/2 mile
Scale: 1" = 1/4 mile

U.S. Bureau of Land Management - Idaho State Office
1327 S. Vinnall Way, Boise, Idaho 83759
(208) 375-1000

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS	
TRACT NO.	ORIGINAL SURVEY
1	SEC
2	SEC
3	SEC
4	SEC
5	SEC
6	SEC
7	SEC
8	SEC
9	SEC
10	SEC
11	SEC
12	SEC
13	SEC
14	SEC
15	SEC
16	SEC
17	SEC
18	SEC
19	SEC
20	SEC
21	SEC
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26	SEC
27	SEC
28	SEC
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30	SEC
31	SEC
32	SEC
33	SEC
34	SEC
35	SEC
36	SEC

KT 1968 Office of Land and Minerals, to Public Domain Regions
Columbia pursuant to Act of Cong. (5/31/1962)

Sec 18, Part Lot 8
Sec 18, Part Lot 14
Sec 20, Part Lot 14
Sec 27, Lot 2
Sec 28, Part Lot 16, 17, 24, 25, 26
Sec 29, Part Lot 17, 18, Lot 19, 20, Part Lot 21
Sec 31, Part Lot 8, 10
Sec 34, Part Lot 8, 11, 13, 14, 17, 19, 21
Sec 35, Part Lot 8
KT 29008 FX, ND to BLM on 12/30/1994
Sec 18, Lot 5
KT 22 02 R/W Flood Control Levee
Sec 17, SSW
Sec 18, Lot 8, ESE NWSE
Sec 19, Lot 15, 16, 17, 25, 26, 28
Sec 20, Lot 18
Sec 28, Lot 29, 30
Sec 29, Lot 22

FOR ORDERS EFFECTING DISPOSAL ON USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: BUREAU OF LAND MANAGEMENT, IDAHO
CONVERTED TFF: 05/11/2005 BY: LFM
LAST UPDATED: 05/10/2005 BY: LFM
LAST VERIFIED: 05/10/2005 BY: LFM
POSTED TO PUBLIC RECORD: OCT 16 2006
PUBLIC LAND SURVEY SYSTEM (PLSS) OCT 16 2006
BUREAU OF LAND MANAGEMENT
USE'S OFF ACQUIRED: 05/10/2005
PROJECTED COORDINATE SYSTEM: UTM ZONE 12N MAG 1983
NOTES
USE PLAT: