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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 01-10116  
(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.

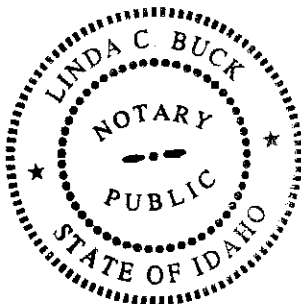
*Fredric W. Price*  
(Signature of person filing objection)

*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: ;

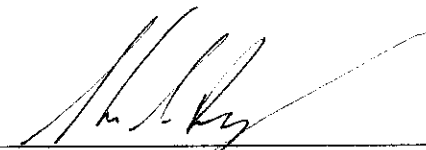
Name:  
Address: ;

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: 1-10116  
NAME AND ADDRESS: HORACE E HILL  
4263 W 6800 S  
REXBURG ID 83440

**Missing QQ description:**

-T05N R39E S34 1.00 acre is missing legal description.

SOURCE: SNAKE RIVER  
QUANTITY: 0.160 CFS  
PRIORITY DATE: 06/01/1889  
POINT OF DIVERSION: T05N R39E S35 SESENW Within MADISON County  
PURPOSE AND PERIOD OF USE:

**Mixed POU's:** TRIBUTARY: COLUMBIA RIVER

-Places of Use identified below contain both public and private land.  
-Please clarify such that only private land is intended by describing either Lots or clarifying the nominal aliquot by including Tract numbers.

|               | <u>PURPOSE OF USE</u>               | <u>PERIOD OF USE</u> | <u>QUANTITY</u>                |
|---------------|-------------------------------------|----------------------|--------------------------------|
|               | IRRIGATION                          | 04/01 10/31          | 0.160 CFS                      |
| PLACE OF USE: | <u>IRRIGATION in MADISON County</u> |                      |                                |
|               | 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****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**

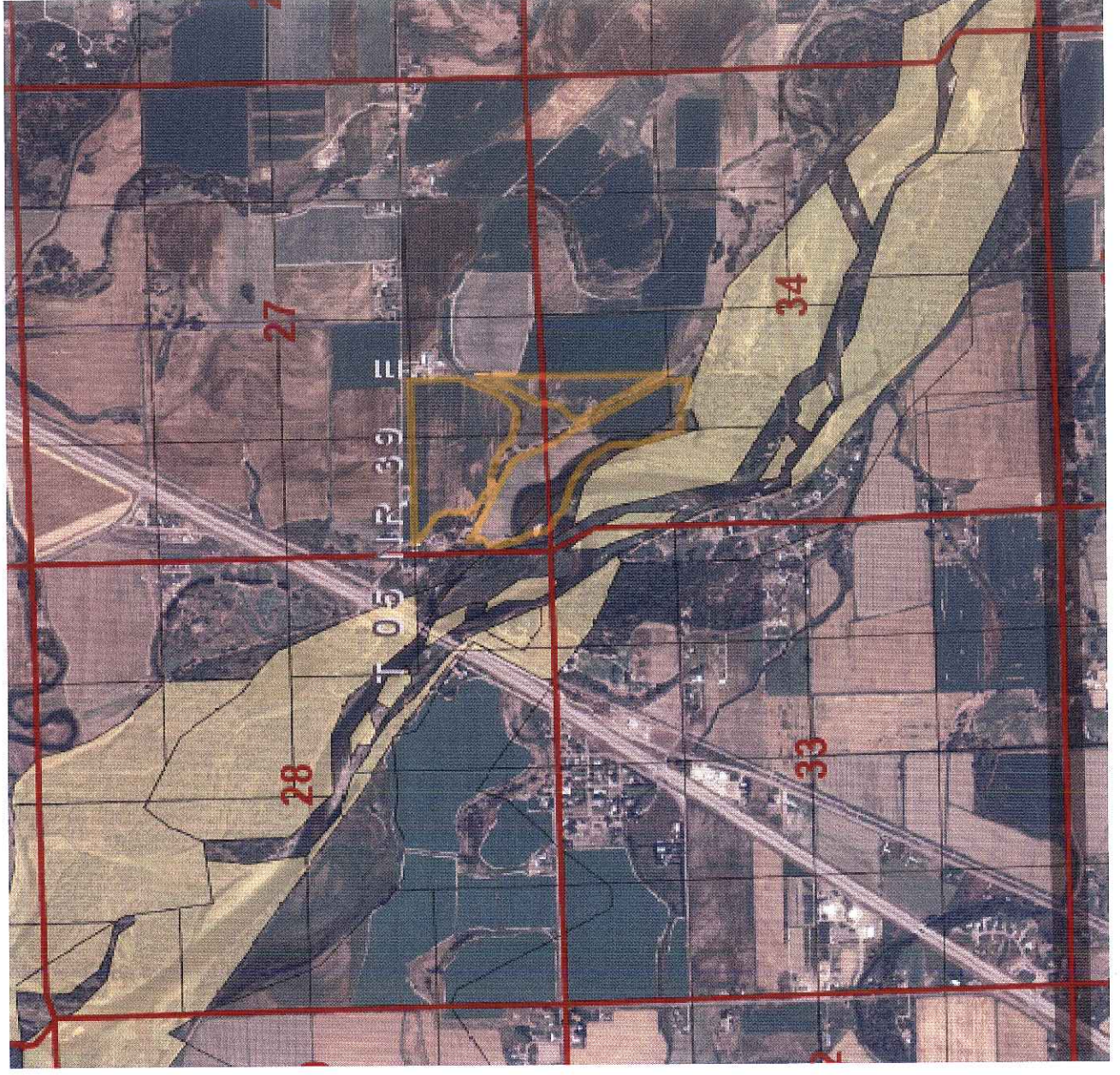
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 1-118V.

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

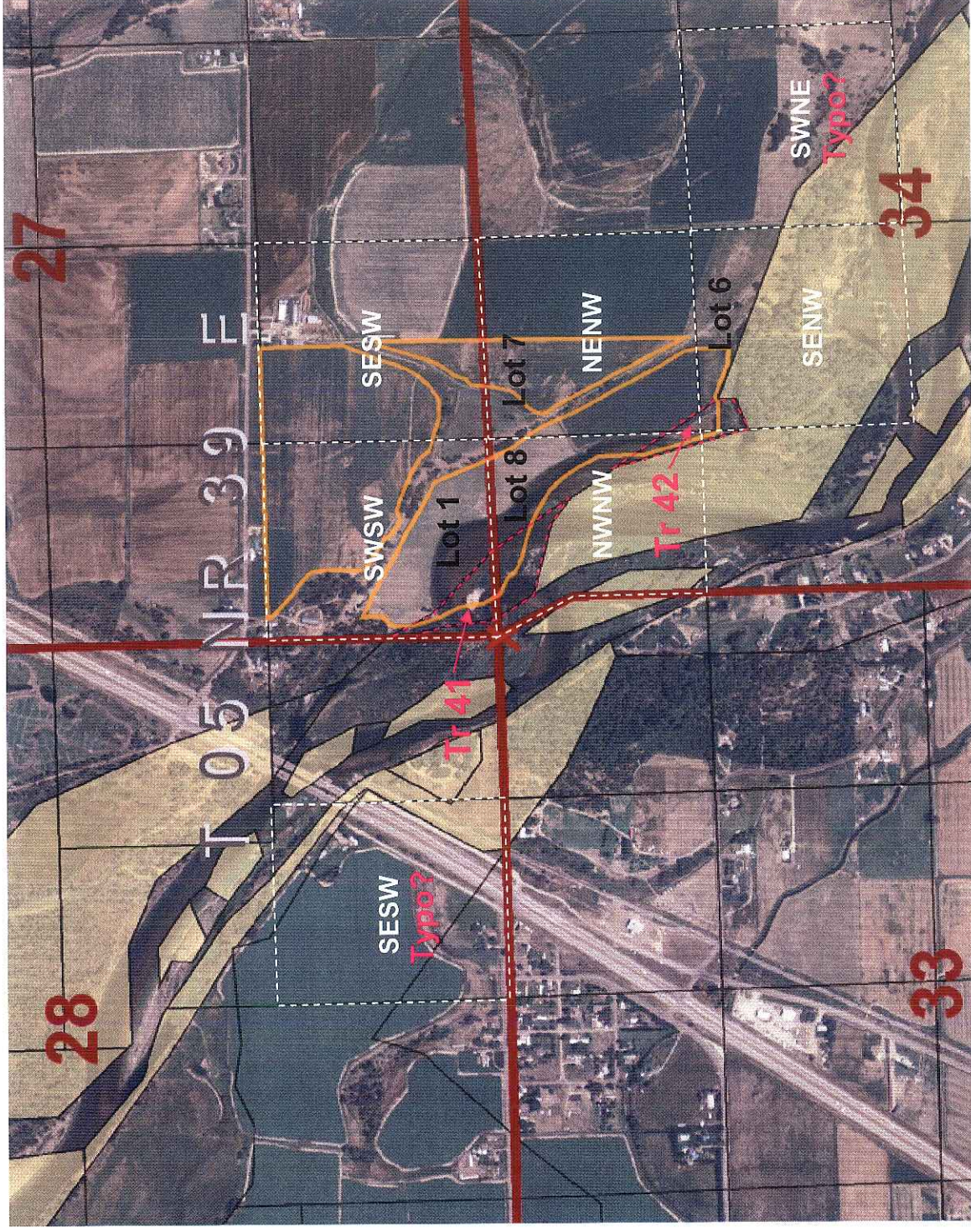
Water is delivered through Bannock Jim Canal to Hill Petingier Ditch.

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.

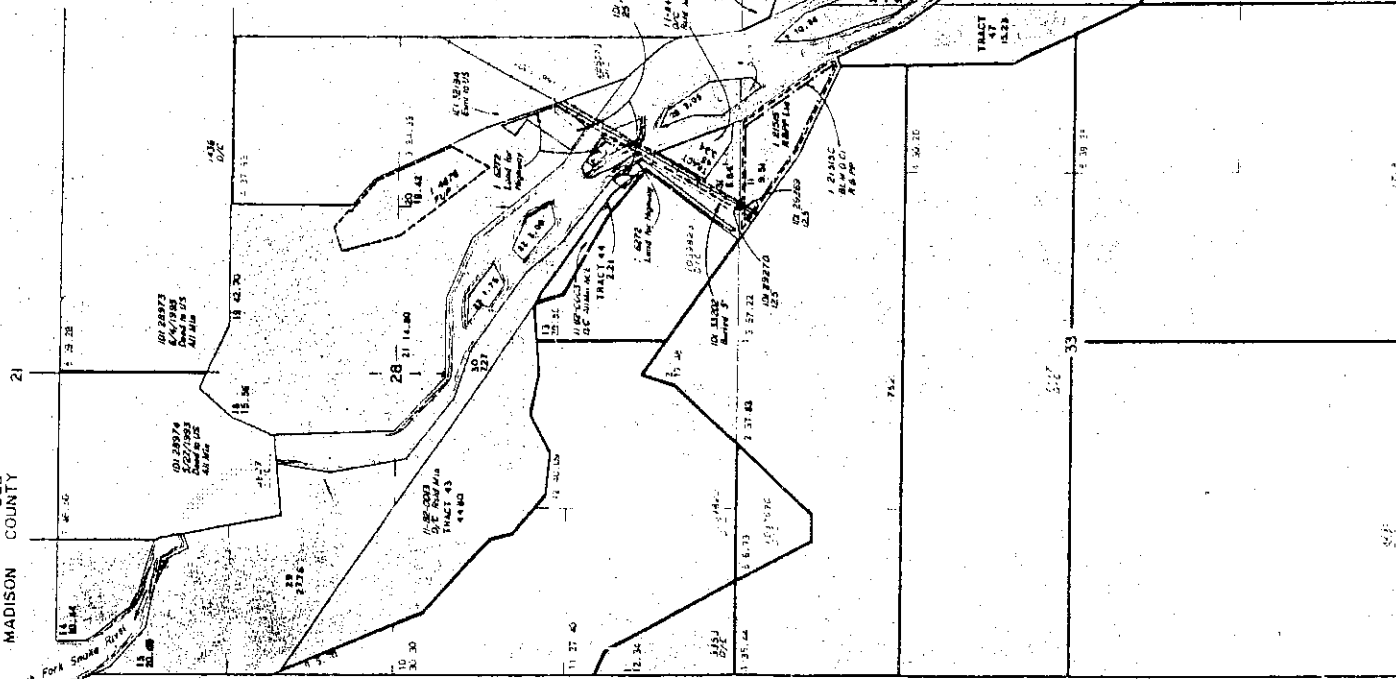
# TOWNSHIP 5 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

MADISON COUNTY

065

JEFFERSON COUNTY

051



MTP  
SUPPL Sec 28, 33, 34

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES  
AND ACQUIRED LANDS

INDEX TO SEGREGATED TRACTS

REGISTRY ORIGINAL SURVEY

TRACT NO. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35

1 3169 Off. of Initialed Lands in Preference Rights

Clements Pursuant to Act of Cong. 5/9/1962

Sec 28: Part Lots 16, 17, 23, 25, 26

Sec 33: Part Lots 9, 10

Sec 34: Part Lots 9, 11, 13, 14, 17, 19, 21

101 32192 R/W Flood Control Levee

Sec 28: Lots 29, 30

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

CURRENT TO

MAY 9, 2001

CURRENT TO

USE PLATS

SCALE in Chains

OMITTED LANDS

Book 144

