

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 37-21653
(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: Danny & Valerie Van Horn
Address: P.O. Box 345; Fairfield, Idaho 83327-0345

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: See attached.
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: See attached.
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 recommendation describes PODs and POU's on private land, state & federal lands with a priority date of 12-31-1880 and a year-round season of use. Use of stockwater on federal land is limited to spring & summer. There does not appear to be a basis for an 1880 priority on private, state, or federal lands. The "base property" associated with the use on federal land was patented in 1939 and the recommendation does not describe the land to which the use on federal land is appurtenant as required by I.C. 42-1402.

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.

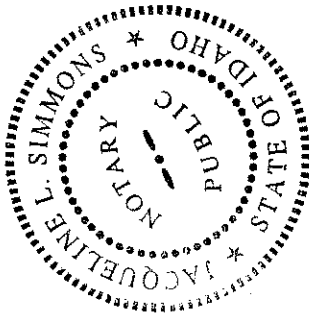
Fredric W. Price
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 22, 2007

Jacqueline L. Simmons
Jacqueline L. Simmons
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 04-07-2011



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 22nd, 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:

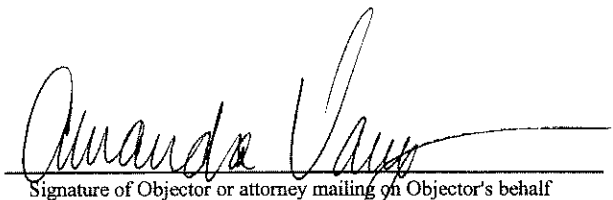
Name: Danny & Valerie Van Horn
Address: P.O. Box 345; Fairfield, Idaho 83327-0345
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 37-21653
NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

PODs/POUs on BLM:

**-Place of Use on BLM needs to be described
consistent with I.C. 42-1402.**

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: EAST FORK CORRAL CREEK
LANSING CREEK
ROUGH CREEK
UNNAMED STREAM
UNNAMED STREAM
UNNAMED STREAM
UNNAMED STREAM
UNNAMED STREAM
UNNAMED STREAM
WEST FORK THREEMILE CREEK

TRIBUTARY: CORRAL CREEK
TRIBUTARY: CAMAS CREEK
TRIBUTARY: EAST FORK CORRAL CREEK
TRIBUTARY: EAST FORK CORRAL CREEK
TRIBUTARY: LANSING CREEK
TRIBUTARY: MCMAHAN CREEK
TRIBUTARY: ROUGH CREEK
TRIBUTARY: WEST FORK CORRAL CREEK
TRIBUTARY: WEST FORK THREEMILE CREEK
TRIBUTARY: CAMAS CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1880

POINT OF
DIVERSION:

T01N R13E S4 NESWNE Begin of Stream Flow Within CAMAS County
T01N R13E S4 NESENE Begin of Stream Flow Within CAMAS County
T01N R13E S4 SENESE End of Stream Flow Within CAMAS County
T01N R13E S4 NESESE End of Stream Flow Within CAMAS County
T01N R13E S4 NESESE Begin of Stream Flow Within CAMAS County
T01N R13E S5 SWNESW Begin of Stream Flow Within CAMAS County
T01N R13E S5 SESWSW Begin of Stream Flow Within CAMAS County
T01N R13E S5 SENESE Begin of Stream Flow Within CAMAS County
T01N R13E S5 NWSESE Begin of Stream Flow Within CAMAS County
T01N R13E S8 NWSWNE Begin of Stream Flow Within CAMAS County
T01N R13E S8 SESWNE Begin of Stream Flow Within CAMAS County
T01N R13E S8 NWNWSW Begin of Stream Flow Within CAMAS County
T01N R13E S8 NESWSW End of Stream Flow Within CAMAS County
T01N R13E S8 SWSWSE End of Stream Flow Within CAMAS County
T01N R13E S9 NENENE End of Stream Flow Within CAMAS County
T01N R13E S9 NWNENE Begin of Stream Flow Within CAMAS County
T01N R13E S9 SWNESE Begin of Stream Flow Within CAMAS County
T01N R13E S9 NESWNE Begin of Stream Flow Within CAMAS County
T01N R13E S9 SWSWNE Begin of Stream Flow Within CAMAS County
T01N R13E S9 NESENE End of Stream Flow Within CAMAS County
T01N R13E S9 SWSENE Begin of Stream Flow Within CAMAS County
T01N R13E S9 NESENE End of Stream Flow Within CAMAS County
T01N R13E S9 SESESEW Begin of Stream Flow Within CAMAS County
T01N R13E S9 SNNWSE Begin of Stream Flow Within CAMAS County

BLM

T01N R13E S16 SWNE Begin of Stream Flow Within CAMAS County
 T01N R13E S16 SWSWNW Begin of Stream Flow Within CAMAS County
 T01N R13E S16 SESENW Begin of Stream Flow Within CAMAS County
 T01N R13E S16 NESWSW Begin of Stream Flow Within CAMAS County
 T01N R13E S16 SWSWSW End of Stream Flow Within CAMAS County
 T01N R13E S16 SWSSEW End of Stream Flow Within CAMAS County
 T01N R13E S16 SWSWSE End of Stream Flow Within CAMAS County
 T01N R13E S16 SWESESE Begin of Stream Flow Within CAMAS County
 T01N R13E S16 SESESE End of Stream Flow Within CAMAS County
 T01N R13E S17 NWESE End of Stream Flow Within CAMAS County
 T01N R13E S17 SWNESE Begin of Stream Flow Within CAMAS County
 T01N R13E S17 SESWSE Begin of Stream Flow Within CAMAS County
 T01N R13E S20 SESENE End of Stream Flow Within CAMAS County

BLM

T02N R13E S32 NENESE Begin of Stream Flow Within CAMAS County
 T02N R13E S32 NENWNE Begin of Stream Flow Within CAMAS County
 T02N R13E S32 NWNWNE Begin of Stream Flow Within CAMAS County
 T02N R13E S32 SENENW Begin of Stream Flow Within CAMAS County
 T02N R13E S32 NENWSE Begin of Stream Flow Within CAMAS County
 T02N R13E S32 SWNWSE Begin of Stream Flow Within CAMAS County
 T02N R13E S33 NENESE End of Stream Flow Within CAMAS County
 T02N R13E S33 NENWNE Begin of Stream Flow Within CAMAS County
 T02N R13E S33 NWNENW Begin of Stream Flow Within CAMAS County
 T02N R13E S33 SENENW Begin of Stream Flow Within CAMAS County
 T02N R13E S33 NENESE End of Stream Flow Within CAMAS County
 T02N R13E S33 NENWSE Begin of Stream Flow Within CAMAS County
 T02N R13E S33 NWNWSE Begin of Stream Flow Within CAMAS County
 T02N R13E S33 SESWSE Lot 2 Begin of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE:

STOCKWATER in CAMAS County

BLM

T01N R13E S04 Lot 2 NWNE
 T01N R13E S04 SENE

T01N R13E S04 SWNE
 T01N R13E S04 Lot 3 NENW

BLM

T01N R13E S04 Lot 4 NWNW
 T01N R13E S04 SENW

T01N R13E S04 Lot 5 SWNW
 T01N R13E S04 NESW

BLM

T01N R13E S04 Lot 6 NWSW
 T01N R13E S04 SESW
 T01N R13E S04 NWSE

T01N R13E S04 Lot 7 SWSW
 T01N R13E S04 NESE
 T01N R13E S04 SESE

BLM

T01N R13E S05 Lot 3 NENW
 T01N R13E S05 NESW
 T01N R13E S05 SESW
 T01N R13E S05 SWSE

T01N R13E S05 SENW
 T01N R13E S05 SWSW
 T01N R13E S05 NESE
 T01N R13E S05 SESE

BLM

T01N R13E S08 NENE
 T01N R13E S08 SENE
 T01N R13E S08 NWNW
 T01N R13E S08 NESW
 T01N R13E S08 SWSW

T01N R13E S08 SWNE
 T01N R13E S08 NENW
 T01N R13E S08 SENW
 T01N R13E S08 NWSW
 T01N R13E S08 SESW

	T01N R13E S08	NESE		T01N R13E S08	NWSE
	T01N R13E S08	SWSE		T01N R13E S08	SESE
	T01N R13E S09	NENE		T01N R13E S09	SWNE
	T01N R13E S09	SENE		T01N R13E S09	NENW
	T01N R13E S09 Lot 1	NWNW		T01N R13E S09 Lot 2	SWNW
	T01N R13E S09	SENW		T01N R13E S09	NESW
	T01N R13E S09 Lot 3	NWSW		T01N R13E S09 Lot 4	SWSW
	T01N R13E S09	SESW		T01N R13E S09	NESE
	T01N R13E S09	NWSE		T01N R13E S09	SWSE
	T01N R13E S16	NENE		T01N R13E S16	NWNE
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	T01N R13E S16	SWNW		T01N R13E S16	SENW
	T01N R13E S16	NESW		T01N R13E S16	NWSW
	T01N R13E S16	SWSW		T01N R13E S16	SESW
	T01N R13E S16	NWSE		T01N R13E S16	SWSE
	T01N R13E S16	SESE		T01N R13E S17	NENE
	T01N R13E S17	SENE		T01N R13E S17	NESE
	T01N R13E S17	SWSE		T01N R13E S17	SESE
	T01N R13E S20	NENE		T01N R13E S20	NWNE
BLM	T02N R13E S32	NENE		T02N R13E S32	NWNE
	T02N R13E S32	SENE		T02N R13E S32	SENW
	T02N R13E S32	NESW		T02N R13E S32 Lot 3	SESW
	T02N R13E S32	NESE		T02N R13E S32	NWSE
	T02N R13E S32 Lot 1	SESE		T02N R13E S33	NENE
	T02N R13E S33	NWNE		T02N R13E S33	SENE
	T02N R13E S33	NENW		T02N R13E S33	NWNW
	T02N R13E S33	SWNW		T02N R13E S33	SENW
	T02N R13E S33	NESW		T02N R13E S33	NWSW
	T02N R13E S33 Lot 4	SWSW		T02N R13E S33 Lot 3	SESW
	T02N R13E S33	NESE		T02N R13E S33	NWSE
	T02N R13E S33 Lot 2	SWSE			

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

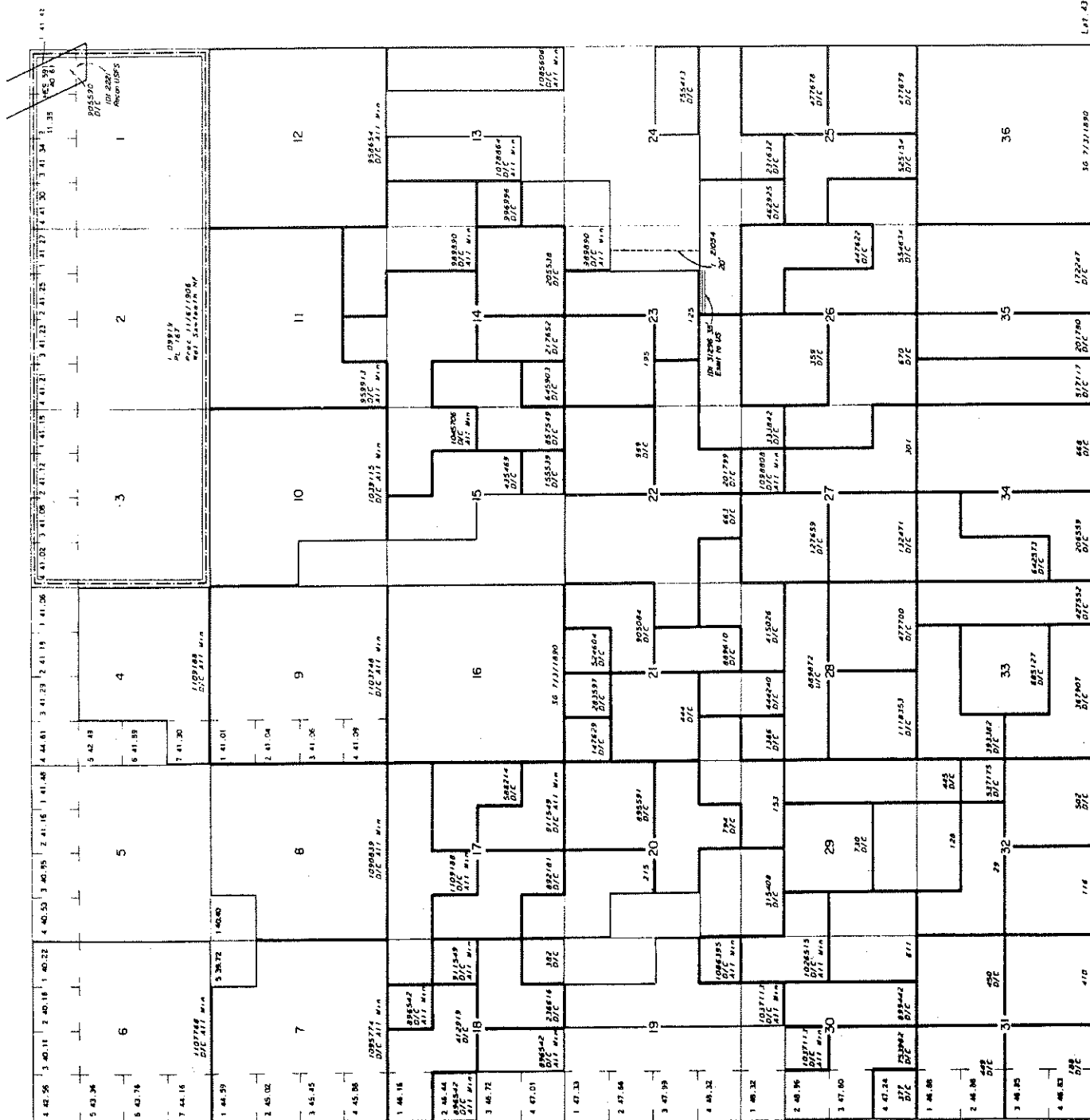
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

CAMAS COUNTY 025
SHOSHONE DISTRICT SEC 3

MT PLAT

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57	57	57	57	57	57	57	57

SO 7/17/1908 Nat USFS Area 5
Sees 2, 3: MB
1999 Dwp Pl 167 Act of Cong 7/23/1955
Completed 7/12/1962. All NF surface Mgmt by USFS



USE PLATS

Long. 43° 22' 31" N
Long. 114° 51' 0"

Home Mer

21

WARNING STATEMENT

This map is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by local movements of survey or other bodies of water.

SCAT F in Choirs

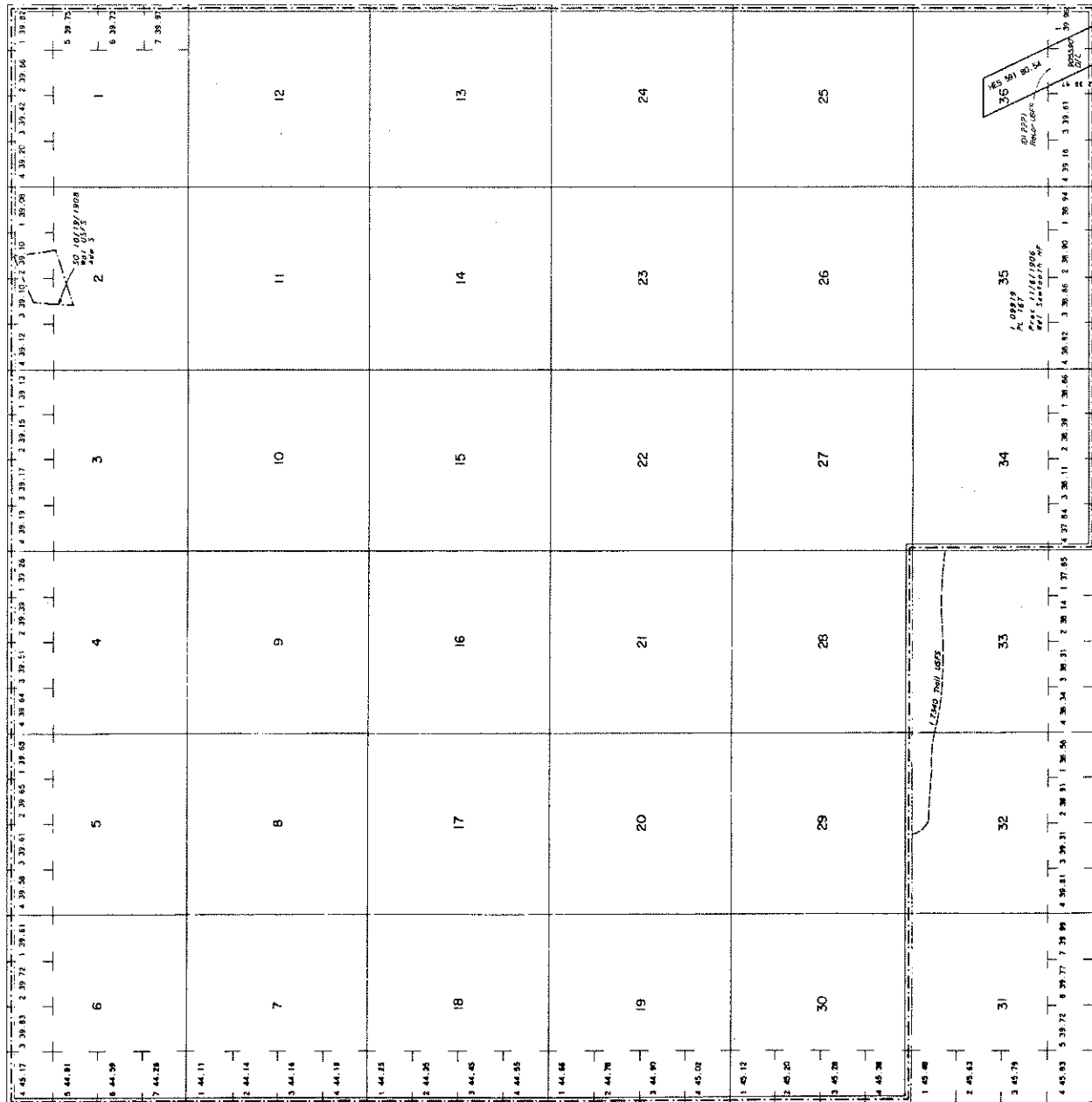
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TOWNSHIP 2 NORTH RANGE 13 EAST OF THE BOISE MERIDIAN, IDAHO

CAMAS COUNTY 025
SHOSHONE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



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32	2	13	32
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35	2	13	35
36	2	13	36

SO. 8/27/1908 Mt. USFS Map 5
Camas County, Idaho
1,999 19 Sec. 1, 167 (Act at Long 123/185)
completed 7/12/1902. All Mt. surface Map by USFS

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

CURRENT TO JUL 1 9 2011

USE PLATS

Long 114° 51' 10" W

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used
only when a public notice of sale or other action has been
afforded by the Bureau's Record of Title, and should not be used
for any other purpose.

Boise Mer
T. 2N
R. 13E

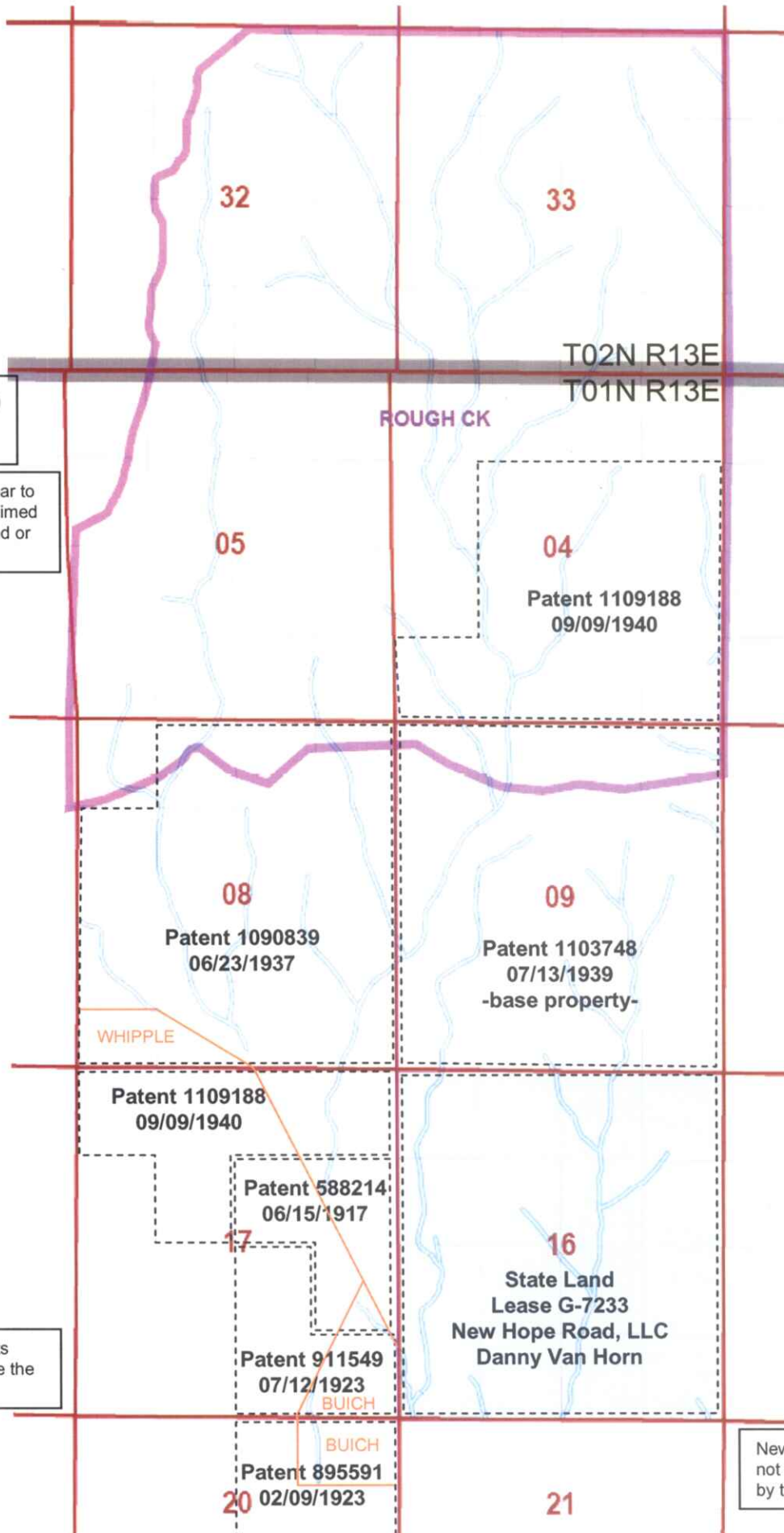
SCALE IN CHAINS
0 10 20 30 40

37-21653
Van Horn

12-31-1880
Priority

There does not appear to
be a basis for the claimed
priority on private land or
public land.

The stream segments
shown in blue denote the
POUs for this claim.



New Hope Road, LLC is
not an entity recognized
by the Secretary of State.