

COPY

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JUN 21 2007

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

Case No. 39576

A. Subcase Number: 63-04621

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Lands
Address: 954 W. Jefferson
P. O. Box 83720
Boise, Idaho 83720-0050
Daytime Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
JRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: DJK LLC
Address: 824 Dearborn
Caldwell, ID 83605

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: reduced to the total amount of 1.0268 c.f.s.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: Not applicable
7. ☐ **Purpose of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: reduced to the total acreage of 51.34 acres.

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 State of Idaho acquired the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 15, Twp. 04 North, Rge. 04 West, B.M. by Clear List No. 1 on January 29, 1894. It sold 34.66 acres of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 15, Twp. 04 North, Rge. 04 West, B.M. to Elisha N. Hanson by Deed No. 5492 on May 5, 1934. It sold 34.66 acres of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 15, Twp. 04 North, Rge. 04 West, B.M. to Elisha N. Hanson by Deed No. 5580 on March 22, 1938. A copy of Deed Nos. 5492 and 5580 are attached as Attachments I. The State of Idaho is informed and believes and therefore alleges the fact to be that claimant DJK LLC is the successor in interest to Elisha N. Hanson. The State of Idaho retains ownership of the 10.66 acres remaining in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 15, Twp. 04 North, Rge. 04 West, B.M. Therefore, the total acreage irrigated should be reduced by the amount of 10.66 acres. The total quantity of the water right for irrigation should be described as 1.0268 c.f.s. A copy of a map that shows the retained lands of the State of Idaho is attached as Attachment II.

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F.

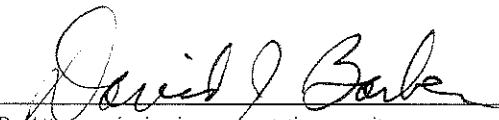
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

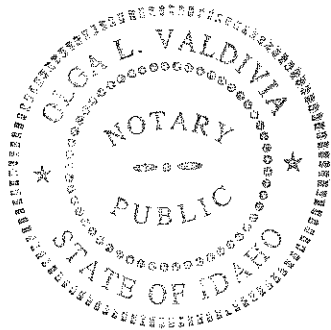
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: June 20, 2007
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/2/2012

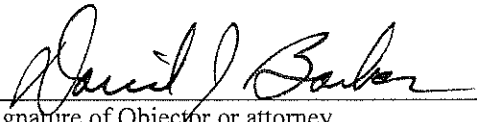
INSTRUCTIONS FOR MAILING

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 June 20, 2007 I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
HAND DELIVERY
2. One copy to the owner of the water right at the following address:
DJK LLC
824 Dearborn
Caldwell, ID 83605
U.S. MAIL
3. Copies to:
State of Idaho,
Department of Lands
954 W. Jefferson
P. O. Box 83720
Boise, ID 83720—0050
STATEHOUSE MAIL
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098
STATEHOUSE MAIL
United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724
U.S. MAIL
Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449
(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf

DEED RECORD

STATE OF IDAHO

Deed No. 5772
 Certificate No. 12327
 Grantee:
Elisa M. Hanson
Wm. L. Hanson

To All to Whom These Presents Shall Come, Greetings:

Whereas, On the 30th day of March, 1918,
 all that tract or parcel of State Hospital Land
 land of the State of Idaho, hereinafter mentioned and particularly described, was
 sold in the manner provided by law to Elisa M. Hanson
 of Baldwin
 County of Canyon and State of Idaho

for the aggregate price of Five Hundred Eighty nine & 27/100 DOLLARS;

AND WHEREAS, The said sum of Five Hundred Eighty nine & 27/100 DOLLARS
 has been fully paid to the proper receiving officer for the State of Idaho, by Elisa M. Hanson

as shown by the records in the office of the State Board of Land Commissioners, the
 said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such cases made and provided, and in consideration of
 the premises aforesaid, and of the aforesaid sum of Five Hundred Eighty nine & 27/100 DOLLARS
 to the said State of Idaho paid, doth by these presents GRANT, BARGAIN, SELL, CONVEY and CONFIRM, in fee, unto the
 said Elisa M. Hanson, his heirs and assigns, all the said tract and parcel of land
 situated in the County of Canyon and State of Idaho, and described as follows, to-wit:

The Northwest Quarter of the Southwest Quarter
(NW 1/4 SW 1/4) (Less Right of way 5.34 acres)
of Section Fifteen (15) Township Four (4)
North, Range Four (4) West of the Boise
Meridian, containing Thirty-four and
sixty six hundredths (34.66) acres, more
or less.

On ~~Four~~ and in ~~Full~~ The said premises and parcel of land above particularly described, with the appurtenances thereon,
 unto the said Elisa M. Hanson his heirs and assigns in fee simple forever.

IN WITNESS WHEREOF, I, Ben Ross, the Governor of the State of Idaho,
 have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land
 Commissioners to be hereunto affixed this 2nd day of May, A. D. 1927

[SEAL]

Countersigned:

Franklin Girard
 Secretary of State.

Countersigned:

[SEAL]

Robert Coulter
 State Land Commissioner.

STATE OF IDAHO, }
 COUNTY OF ADA } ss.

On this 5th day of May, A. D. 1927 before me, a Notary Public in and for
 said State, personally appeared Ben Ross known to me to be the Governor, and
Franklin Girard known to me to be the Secretary of State, and Robert Coulter
 known to me to be the Land Commissioner of the State of Idaho, and acknowledged to me that they as such Governor, Secretary
 of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

[SEAL]

A. M. B. B.
 Notary Public, residing at Boise, Idaho.

ATTACHMENT I

DEED RECORD

STATE OF IDAHO

Deed No. 2280

Certificate No. 22553

Grantee: Elisha H.

Ransom

Baldwell

Idaho

On All to Whom These Presents Shall Come, Greetings:

Whereas, On the 30th day of March, 1918

all that tract or parcel of one acre Asylum

land of the State of Idaho, hereinafter mentioned and particularly described, was

sold in the manner provided by law to Elisha H. Ransom

of Baldwell

County of Bannock and State of Idaho

for the aggregate price of Three hundred forty six and 60/100 DOLLARS;

AND WHEREAS, The said sum of Three hundred forty six and 60/100 DOLLARS

has been fully paid to the proper receiving officer for the State of Idaho, by Elisha H. Ransom

as shown by the records in the office of the State Board of Land Commissioners, the

said sum being the whole amount of the purchase price for the said tract or parcel of land hereinafter described.

NOW, KNOW YE, That the said State of Idaho, in pursuance of law in such cases made and provided, and in consideration of the premises aforesaid, and of the aforesaid sum of Three hundred forty six and 60/100 DOLLARS

to the said State of Idaho paid, doth by these presents GRANT, BARGAIN, SELL, CONVEY and CONFIRM, in fee, unto the

said Elisha H. Ransom, his heirs and assigns, all the said tract and parcel of land

situated in the County of Bannock and State of Idaho, and described as follows, to-wit:

The Northeast Quarter of the Southwest Quarter
(NE 1/4 SW 1/4) less Right of way, of Section
24, Township 24N, Range 14E, 1st
Meridian, containing forty six and 60/100 (34.66)
acres more or less.

Or Hear and to Hold, The said premises and parcel of land above particularly described, with the appurtenances thereon, unto the said Elisha H. Ransom, his heirs and assigns in fee simple forever.

IN WITNESS WHEREOF, I, Ben Rase, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the State Board of Land Commissioners to be hereunto affixed this 22nd day of March, A. D. 1931

[SEAL]

Countersigned:

Franklin Girard
Secretary of State.

Countersigned:

[SEAL]

Robert Gault
State Land Commissioner.

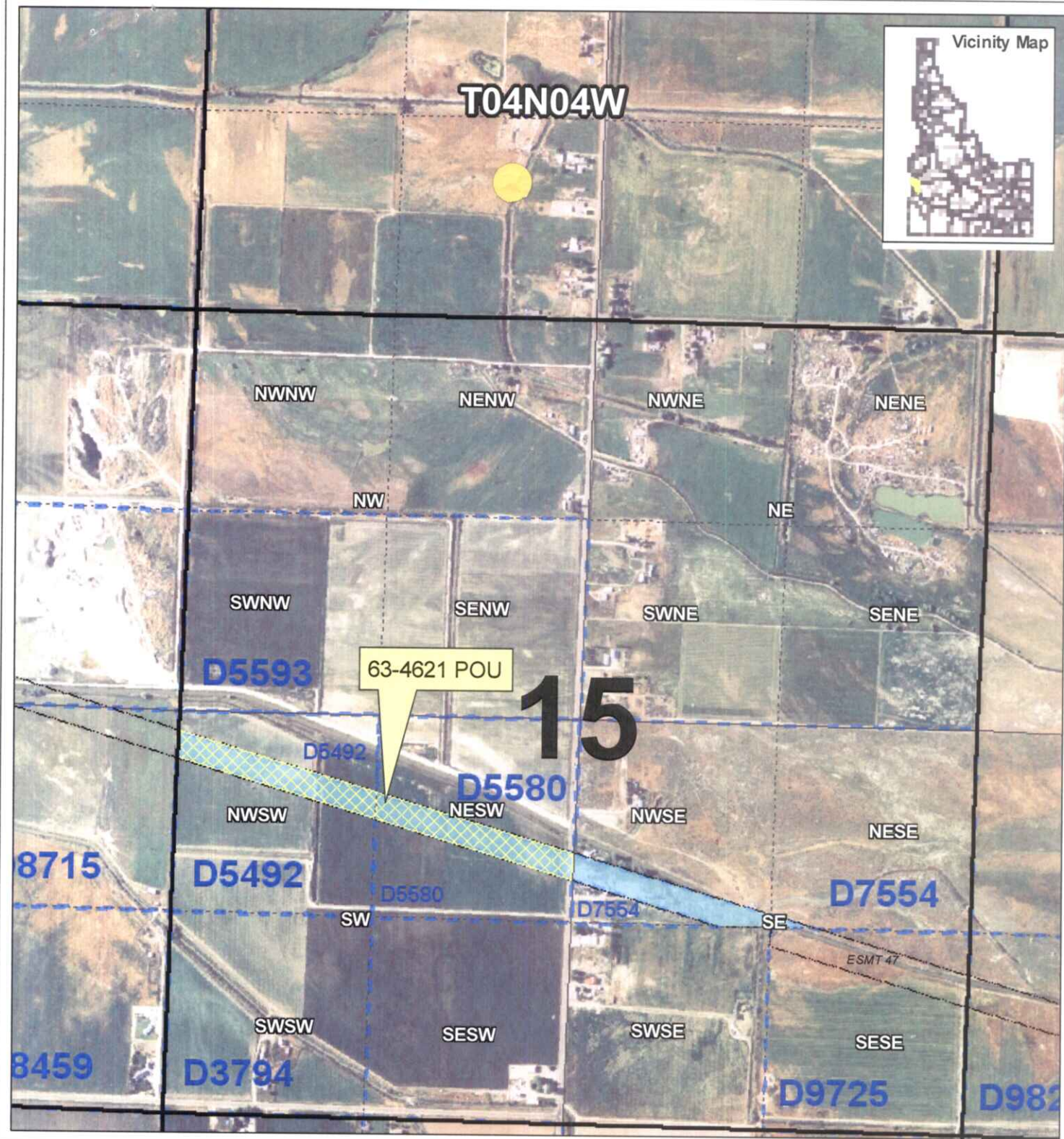
STATE OF IDAHO, } ss.
COUNTY OF ADA }

On this 22nd day of March, A. D. 1931, before me, a Notary Public in and for said State, personally appeared Ben Rase, known to me to be the Governor, and Franklin Girard, known to me to be the Secretary of State, and Robert Gault, known to me to be the Land Commissioner of the State of Idaho, and acknowledged to me that they as such Governor, Secretary of State, and State Land Commissioner, of the State of Idaho, and the State of Idaho executed the foregoing deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

[SEAL]

Wm. Bailey
Notary Public, residing at Boise, Idaho.



Legend

- ★ Point of Diversion
- Place of Use
- IDL State Land
- Easement Lines
- Easement
- GRAZING LEASE
- Deeds
- Highways
- US and State
- ⇒ Interstates

Place of Use Basin 63 Part 3 Sequence Number 63-4621 T04N04W SEC 15



Map Notes

Projection: Idaho Transverse Mercator, NAD 27
Map Notes and Data Sources
Place of Use 63-4621 Priority Date 03/22/1935
Idaho Ownership: 01/29/1894
ESMT 47
Grazing Lease: G-XXXX

State Land 05/30/2007
Public Land Survey System (PLSS)
2006 NAIP Imagery

Disclaimer:
This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where the information is incomplete or outdated, the user is responsible for verifying the accuracy of the map and the underlying data sources.