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OCT 18 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 75-04024
(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: Anthony F. Fiori
Address: 40 Kelsey Road; Salmon, Idaho 83467

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 the place of use element may include Federal land. The description of the place of use should be clarified such that it is clear only private land is intended. The map describing the location of the irrigation activity should be

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

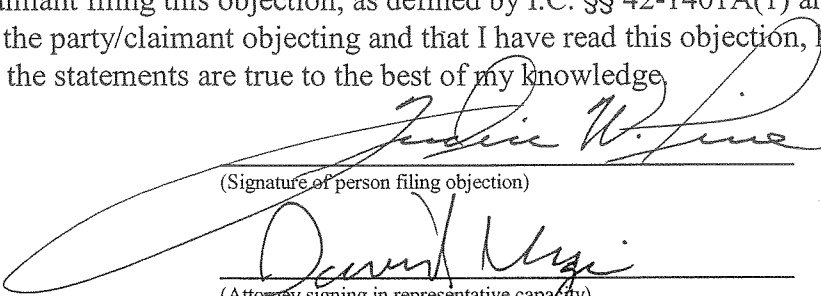
County of ADA

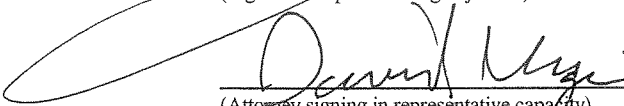
)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

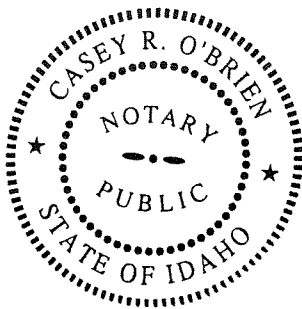
(Name of person filing objection)

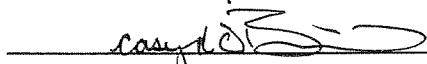
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 15, 2007




Casey R. O'Brien

Notary Public for State of Idaho

Residing at: Nampa, ID.

My Commission Expires: 10-31-2009

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 Oct. 16, 2006, 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: Anthony F. Fiori
Address: 40 Kelsey Road; Salmon, Idaho 83467

Name:
Address: ;

Name:
Address: ;

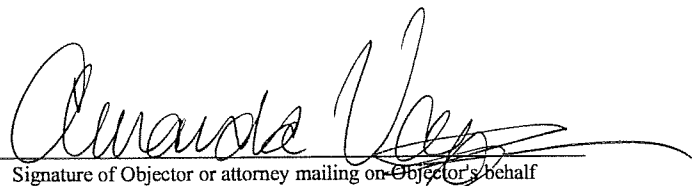
Name:
Address: ;

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

01/08/2007

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

RIGHT NUMBER: 75-4024

NAME AND ADDRESS: ANTHONY F FIORI
40 KELSEY RD
SALMON ID 83467

SOURCE: RATTLESNAKE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.180 CFS

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

PRIORITY DATE: 06/25/1923

POINT OF
DIVERSION: T19N R21E S34 NENW Lot 2 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.160 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T19N R21E S27 Lot 7 SESW 7.00

T19N R21E S27 Lot 6 NWSE 1.00 **Mixed**

STOCKWATER same as IRRIGATION

8 ACRES TOTAL

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.

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

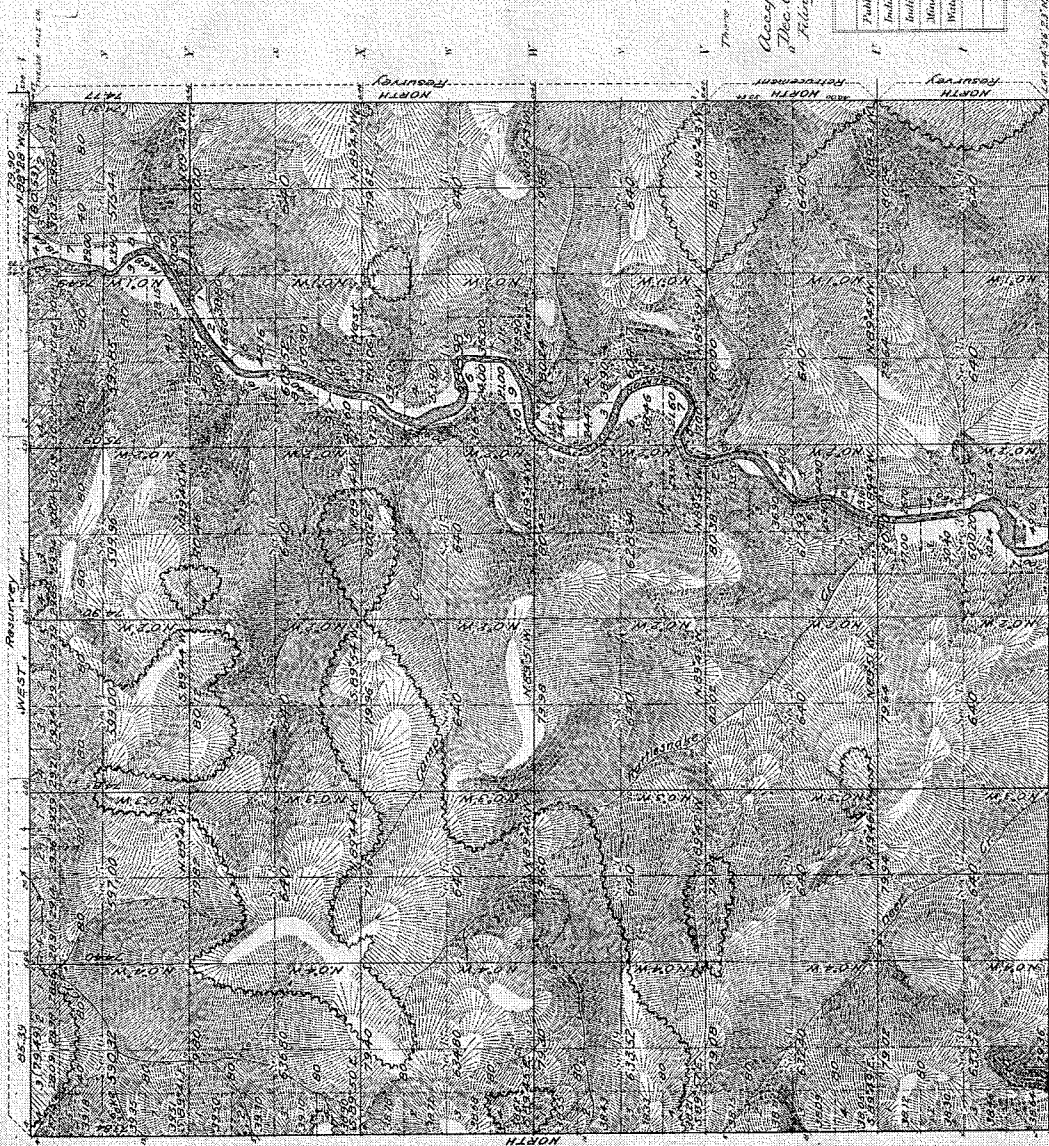
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Mixed POU:

-T19N R21E S27 Lot 6 (NWSE) has been resurveyed into Lot 9 (NWSE) private land and Lot 10 (NWSE) BLM land.

-The irrigation in T19N R21E S27 NWSE is occurring within Lot 9 (NWSE) and should be described as such.

Township No. 19 North, Range No. 21 East of the Boise Meridian, Idaho.



There are water hydrographs of interest to this Township.

Accepted by the Comm. of the G.L.O.
Dec. 6, 1915.
Filed and legalized Apr. 1, 1916.

Areas in Acres	
Public Land	22522.5
Indian Reservations	
Indian Allotments	
Mineral Claims	228.63
Water Surface	
Total Area	22751.13

Scale 40 chains to an inch
Mean Magnetic Deviation, not recorded

The above map of Township No. 19 North, Range No. 21 East of the Boise Meridian, Idaho, is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved.

U. S. Surveyor General's Office
Boise, Idaho, November 23, 1915.
Lawrence H. Little
Surveyor General

Survey Investigated	By Whom Surveyed	When Surveyed	Amount of Survey	When Surveyed
N. Boundary, Sec. 1	Alvin H. Kinnell	April 2, 1913	6	April 2, 1913
E. " "	Alvin H. Kinnell	April 2, 1913	5	April 2, 1913
W. " "	Alvin H. Kinnell	April 2, 1913	5	April 2, 1913
S. " "	Alvin H. Kinnell	April 2, 1913	5	April 2, 1913
Subdivisions	Kinnell and Coffin	April 2, 1913	59	April 2, 1913
Abandoned	Alvin H. Kinnell	April 2, 1913	16	April 2, 1913
Connections	Alvin H. Kinnell	April 2, 1913	27	April 2, 1913
E. Boundary, Sec. 15	William G. Coffin	December 17, 1914	4	December 17, 1914
	Harvey D. Crumly	January 29, 1915	5	January 29, 1915

75-04024
Anthony R. Fiori

Mixed POU:

-T19N R21E S27 Lot 6 (NWSE) has been resurveyed into Lot 9 (NWSE) private land and Lot 10 (NWSE) BLM land.

-The irrigation in T19N R21E S27 NWSE is occurring in Lot 9 (NWSE) and should be described as such.

-Please adjust shapefile to only include Lot 9 (NWSE) within the NWSE quarter quarter.

