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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 75-14023
(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: Lloyd A. & Sheryl L. Tutor
Address: 309 Granite St.; 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 should 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:

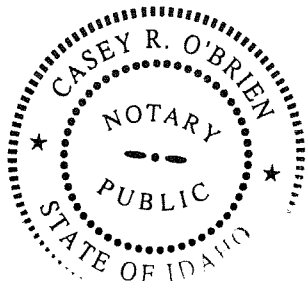
(Name of person filing objection)

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)

Orin M.
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 15, 2009



Casey R. O'Brien
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, ²⁰⁰⁷~~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: Lloyd A. & Sheryl L. Tutor
Address: 309 Granite St.; 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: 75-14023
NAME AND ADDRESS: LLOYD A TUTOR
309 GRANITE ST
SALMON ID 83467
SHERYL L TUTOR
309 GRANITE ST
SALMON ID 83467

Mixed POU:

-The place of use contains both private and public land.
-Please clarify such that only private land is intended by
inserting the following language under place of use:

"Place of use does not include federal public lands."

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.038 CFS

PRIORITY DATE: 12/22/1910

POINT OF
DIVERSION: T23N R22E S35 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.038 CFS

PLACE OF USE: IRRIGATION in LEMHI County

Mixed	T22N R22E S03 Lot 1 NENE	0.50	T22N R22E S03 Lot 2 NWNE	1.40
	T23N R22E S34 SWSE	0.50	T23N R22E S34 SESE	0.50
	2.9 ACRES TOTAL			

Right Nos. 75-14023 and 75-14029 are limited to the irrigation of a combined total of 2.9 acres in a single irrigation season.

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 - License

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

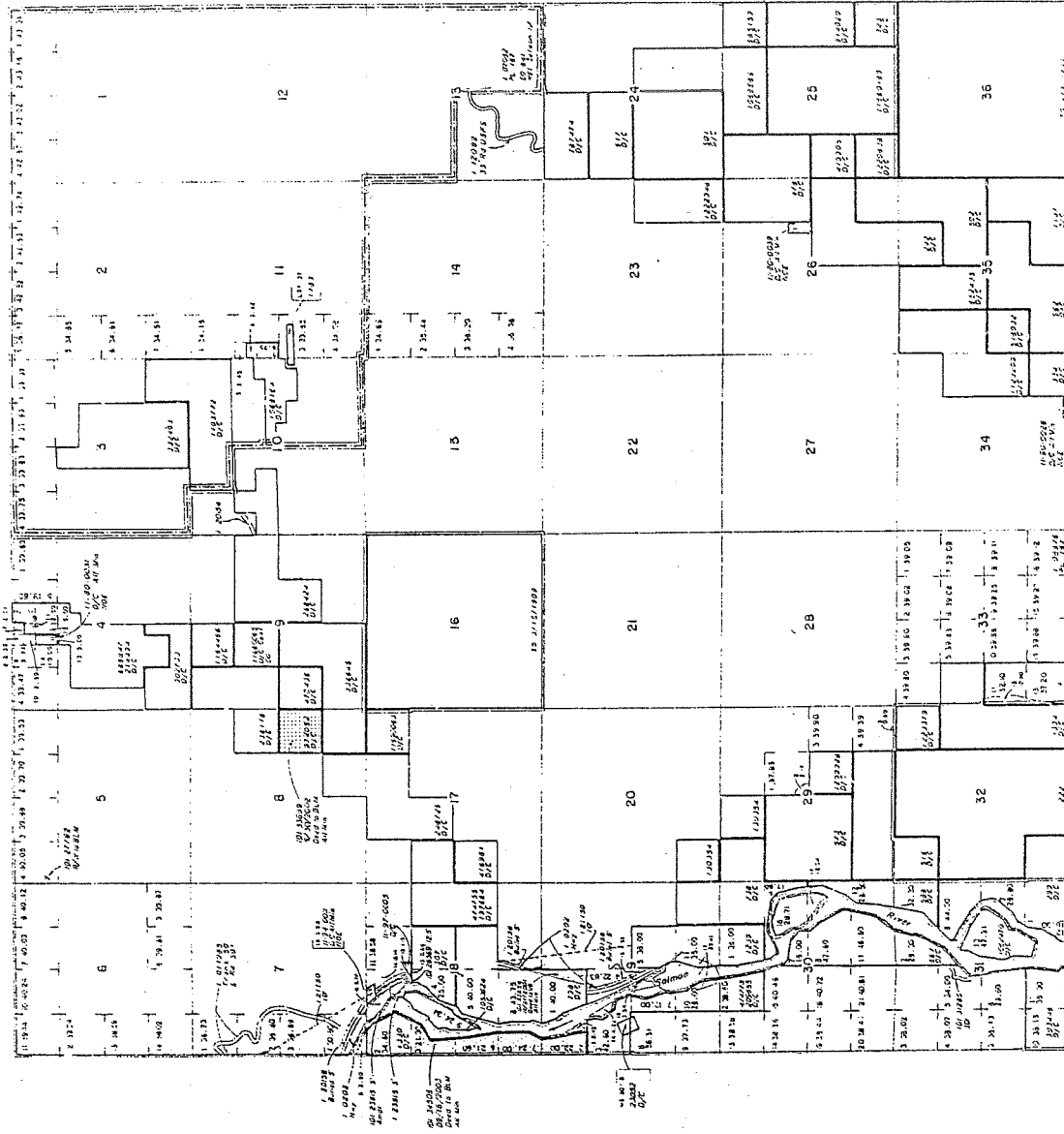
TOWNSHIP 23 NORTH RANGE 22 EAST OF THE BOISE MERIDIAN, IDAHO

LEMHI COUNTY 039

SALMON DISTRICT SEC. 1

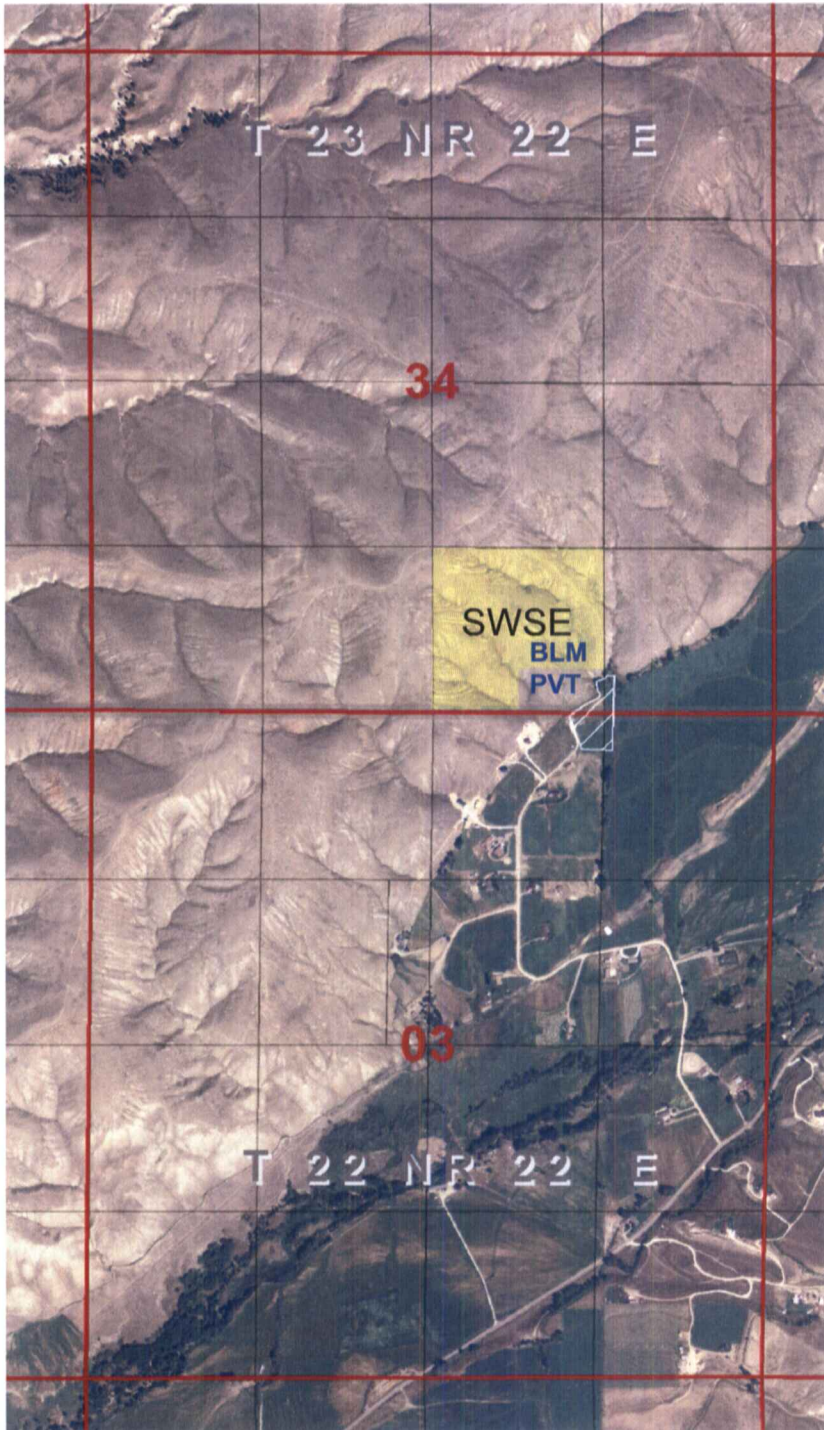
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL RIGHTS
AND ADJACENT LANDS

MT PLAT



INDEX TO SEGREGATED TRACTS

TRACT NO.	ACRES	W. 1/4	W. 1/2	W. 3/4	W. 1/8	W. 1/16	W. 1/32	W. 1/64	W. 1/128	W. 1/256	W. 1/512	W. 1/1024	W. 1/2048	W. 1/4096	W. 1/8192	W. 1/16384	W. 1/32768	W. 1/65536	W. 1/131072	W. 1/262144	W. 1/524288	W. 1/1048576	W. 1/2097152	W. 1/4194304	W. 1/8388608	W. 1/16777216	W. 1/33554432	W. 1/67108864	W. 1/134217728	W. 1/268435456	W. 1/536870912	W. 1/1073741824	W. 1/2147483648	W. 1/4294967296	W. 1/8589934592	W. 1/17179869184	W. 1/34359738368	W. 1/68719476736	W. 1/137438953472	W. 1/274877906944	W. 1/549755813888	W. 1/1099511627776	W. 1/2199023255552	W. 1/4398046511104	W. 1/8796093022208	W. 1/17592186044416	W. 1/35184372088832	W. 1/70368744177664	W. 1/140737488355328	W. 1/281474976710656	W. 1/562949953421312	W. 1/1125899906842624	W. 1/2251799813685248	W. 1/4503599627370496	W. 1/9007199254740992	W. 1/18014398509481984	W. 1/36028797018963968	W. 1/72057594037927936	W. 1/144115188075855872	W. 1/288230376151711744	W. 1/576460752303423488	W. 1/1152921504606846976	W. 1/2305843009213693952	W. 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75-14023 & 75-14029; Lloyd & Sheryl Tutor

Mixed POU:

- The place of use contains both private and public land.
- Please clarify such that only private land is intended by inserting the following language under place of use:

"Place of use does not include federal public lands."

