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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 75-14201
(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: Jack F. & Diane M. Ellis
Address: P.O. Box 301; 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

)

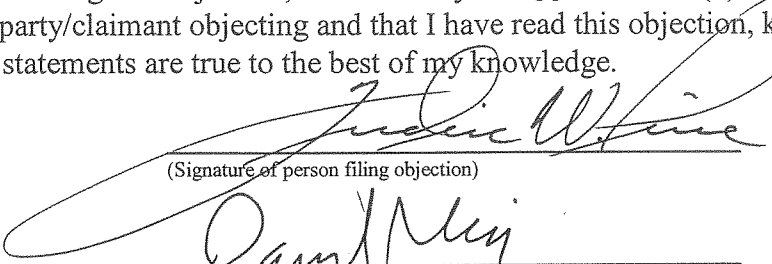
) ss.

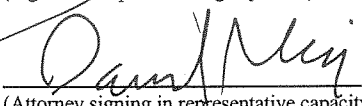
County of ADA

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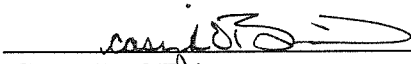
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

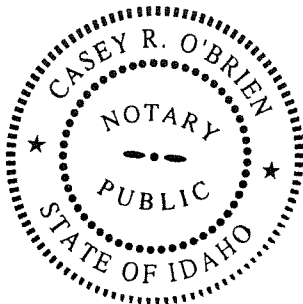
Subscribed and sworn to before me on: October 15, 2007


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:

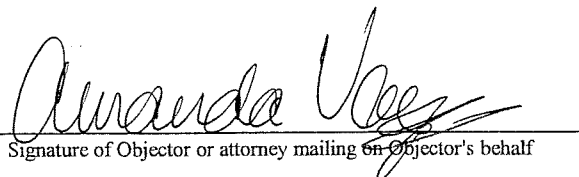
Name: Jack F. & Diane M. Ellis
Address: P.O. Box 301; Salmon, Idaho 83467
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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: 75-14201
NAME AND ADDRESS: DIANE M ELLIS
PO BOX 301
SALMON ID 83467
JACK F ELLIS
PO BOX 301
SALMON ID 83467

Mixed POU:

-The places of use contain 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: FREEMAN CREEK

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.170 CFS

PRIORITY DATE: 05/01/1948

POINT OF
DIVERSION: T22N R23E S5 SWSWNE Within LEMHI County
T22N R23E S6 SENENE 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	0.170 CFS

PLACE OF USE: IRRIGATION in LEMHI County

Mixed	T22N R23E S05	SWNW	2.20	T22N R23E S05	SENE	4.80
	7 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 75-4204 .

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

LEMHI COUNTY 059
IDaho Falls District SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS		
TRACT NO.	ORIGINAL SURVEY	REVISION
1	1	1
2	2	2
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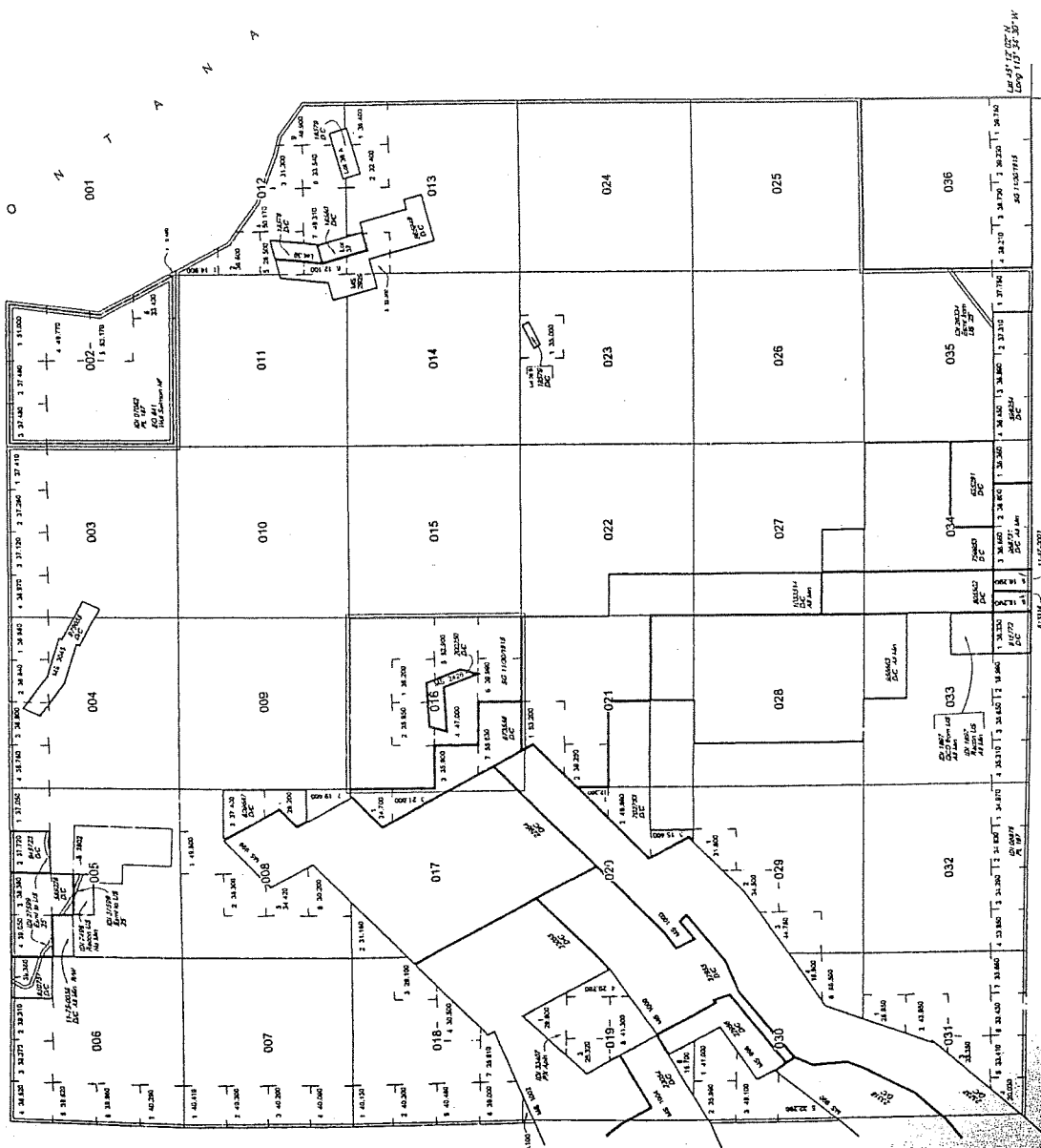
DO NOTALIST HERE OF ANY OF THE FOLLOWING:
1. ANY LAND OF THE UNITED STATES
2. ANY LAND OF THE STATE OF IDAHO
3. ANY LAND OF THE COUNTY OF LEMHI
4. ANY LAND OF THE TOWNSHIP OF 22 NORTH
5. ANY LAND OF THE RANGE OF 23 EAST
6. ANY LAND OF THE MERIDIAN OF BOISE
7. ANY LAND OF THE DISTRICT OF 3
8. ANY LAND OF THE SECTION OF 3
9. ANY LAND OF THE TRACT OF 3
10. ANY LAND OF THE PLAT OF 3

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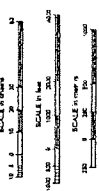
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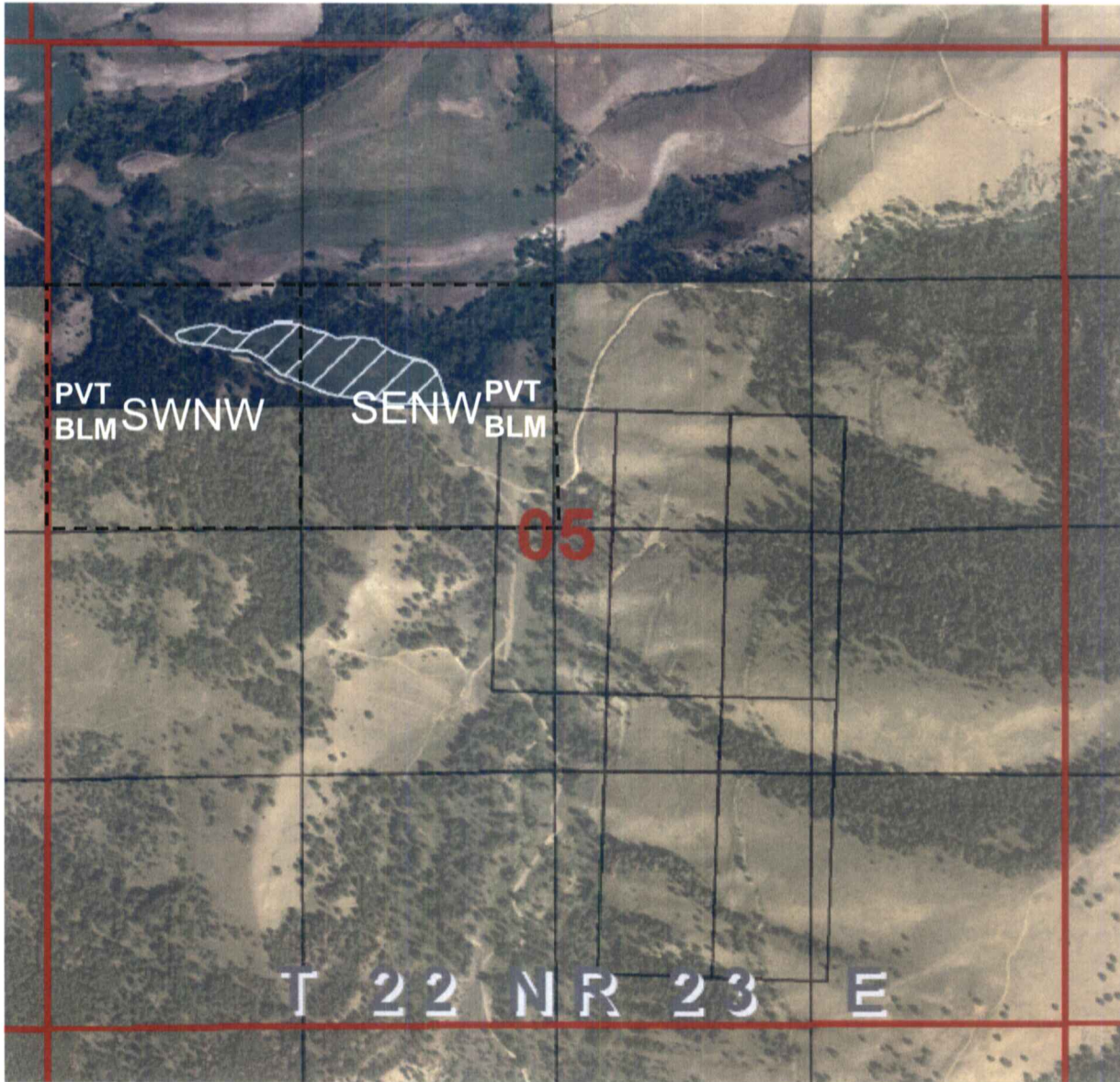


DECLARATION
I, the undersigned, being a duly qualified Surveyor of the State of Idaho, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my office, and that the same has been compared with the original records in my office, and found to be correct.



U.S. Bureau of Land Management - Idaho State Office
1507 S. Myrtle Way, Boise, Idaho 83705
(208) 375-4000

75-14201; Jack & Diane Ellis



Mixed POU:

- The places of use contain both private and public lands.

-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.”