

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 37-00208B
(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: George A. Dehlmar
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310
Name: Ruth M. Dehlmar
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310
Name: Denzel R. Rowland
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310
Name: Mary S. Rowland
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310

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 United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

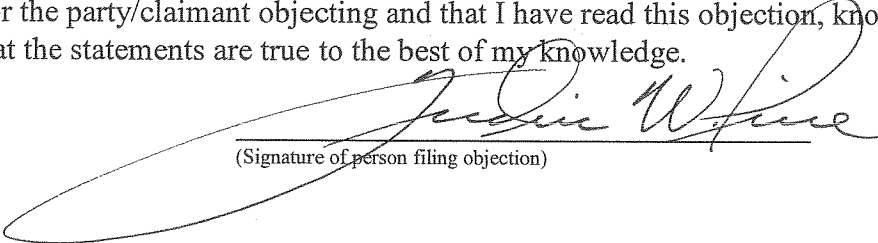
) ss.

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.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 11, 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 Nov. 13, 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:

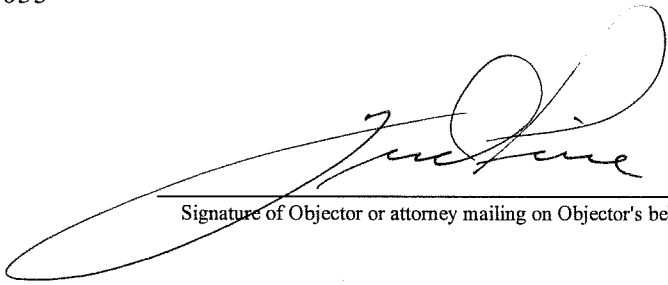
Name: George A. Dehlmar
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310
Name: Ruth M. Dehlmar
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310
Name: Denzel R. Rowland
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310
Name: Mary S. Rowland
Address: 5195 E. Yacht Club Dr.; Eden, UT 84310

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: 37-208B

NAME AND ADDRESS: MARY S ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

GEORGE A DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84340

RUTH M DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84310

DENZEL R ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

SOURCE: ELK CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 06/01/1880

POINT OF
DIVERSION: T02N R17E S34 SWSNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.200 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S34	SWNW	7.90	T02N R17E S34	SENW	5.50	] Mixed
T02N R17E S34	NESW	19.00	T02N R17E S34	NWSW	1.30	

33.7 ACRES TOTAL

This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.

Use of the rights listed below is limited to the irrigation of a combined total of 33.7 acres in a single irrigation season. Combined right nos. 37-208B and 37-21478.

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 - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

-Mixed POUs:

The places of use T02N R17E S34 SWNW and SENW contains both private and public land.

-Please clarify such that only private land is intended by inserting the following remark under place of use:

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

-Please adjust shapefile to exclude BLM as irrigation is not authorized.

37-00208B & 37-21478
George Dehlmar



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