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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 02-07025
(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: James C. Hilliard
Address: 4401 S. Ocean Blvd. #7; Highland Beach, FL 33487

Name: Barbara G. Hilliard
Address: 4401 S. Ocean Blvd. #7; Highland Beach, FL 33487

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.

E.

VERIFICATION (Must be Completed)

State of Idaho

County of ADA

ss.

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

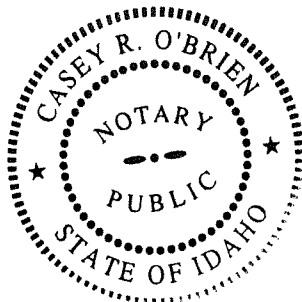
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

James A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 03, 2007

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 12-3, 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: James C. Hilliard
Address: 4401 S. Ocean Blvd. #7; Highland Beach, FL 33487

Name: Barbara G. Hilliard
Address: 4401 S. Ocean Blvd. #7; Highland Beach, FL 33487

Name:
Address: ;

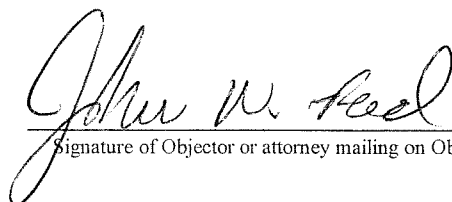
Name:
Address: ;

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

12/28/2006

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

RIGHT NUMBER: 2-7025

NAME AND ADDRESS: JAMES C HILLIARD
4401 S OCEAN BLVD #7
HIGHLAND BEACH FL 33487

BARBARA G HILLIARD
4401 S OCEAN BLVD #7
HIGHLAND BEACH FL 33487

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.000 CFS
1,215.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 4320 AF. COMBINED RIGHT
NOS.: 2-2129, 2-2130, 2-2406, 2-7350.

PRIORITY DATE: 12/25/1968

POINT OF
DIVERSION: T05S R05E S28 SENWNE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.000 CFS 1,215.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R05E S28	SESW	40.00	T05S R05E S31 Lot 7 NESW	40.00
T05S R05E S31	NESE	40.00	T05S R05E S31	NWSE
T05S R05E S32	NENE	40.00	T05S R05E S32	NWNE
T05S R05E S32	SWNE	40.00	T05S R05E S32	SENE
T05S R05E S32	NENW	40.00	T05S R05E S32	NWNW
T05S R05E S32	SENW	40.00	T05S R05E S33	SWNE
T05S R05E S33	NWNW	33.00	T05S R05E S33	SWNW

Mixed [T05S R05E S33 SENW 9.00]

528 ACRES TOTAL

This right is limited to the irrigation of 243 acres within the place of use described above 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

Mixed POUs: Rights 2-57, 2-2129, 2-2130, 2-7025, and 2-7350 are also diverted through the point of diversion described above.

-The Places of use recommended as T05S R05E S33 SWNE and SENW describes 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."

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

EO 02/29/1912 Mod Pwr. S Res 77	EO 07/02/1910
high 02/01/1912 to permit Reserv Element	
EO 02/11/1915 Mod Pwr. S Res 405	02/29/1913
to permit RW train line	
EO 24/583 Siles Act 07/21/1908	
Site 31: LGS 4, 8, 9, 10	
Site 32: SW	
EO 20/8734 Neth Hist Tral	
Historical information only, does not delete	
public access	
EO 30/834 Pwr	
Site 39: N D MEM	

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[illegible]

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(continued)

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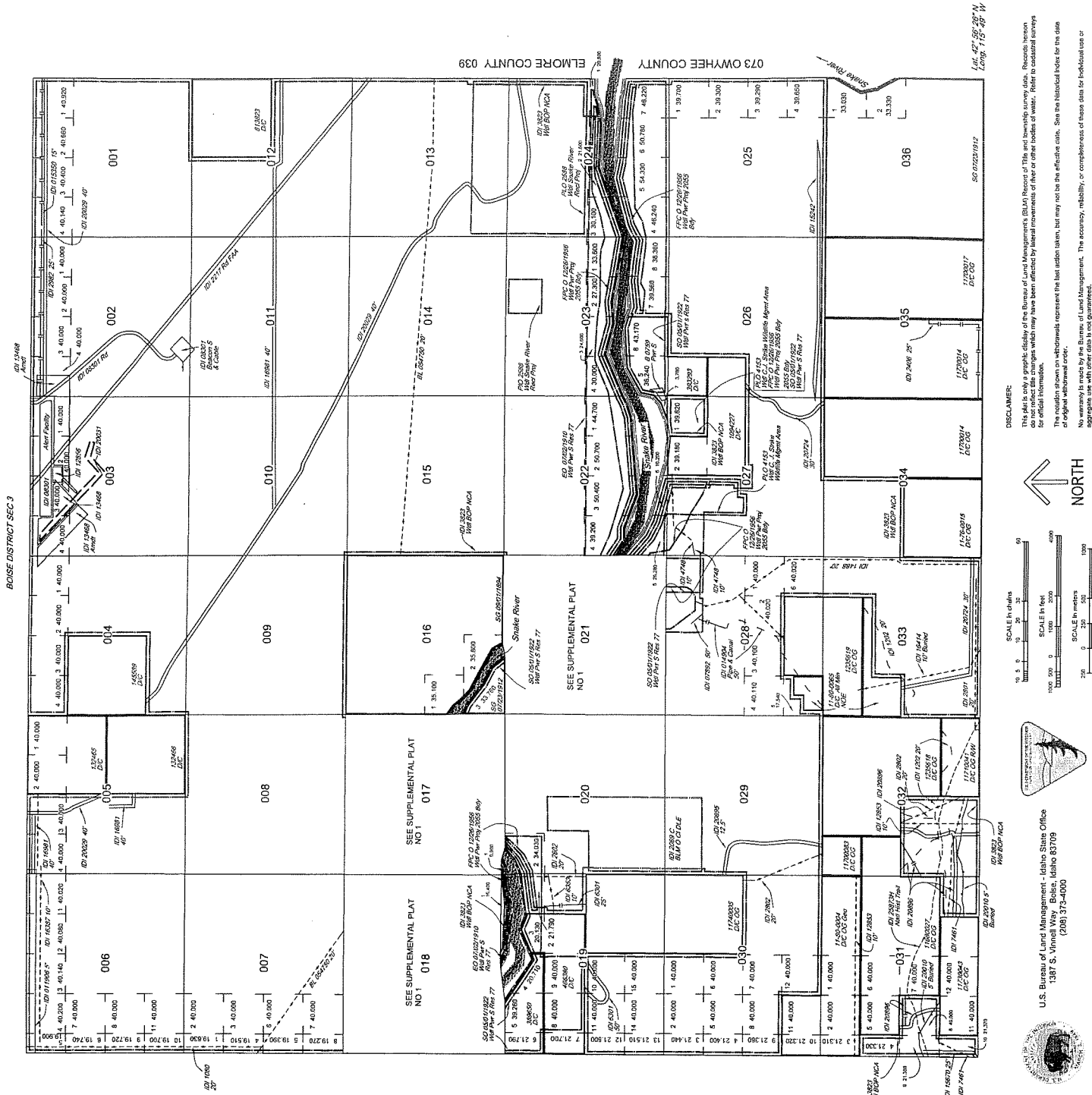
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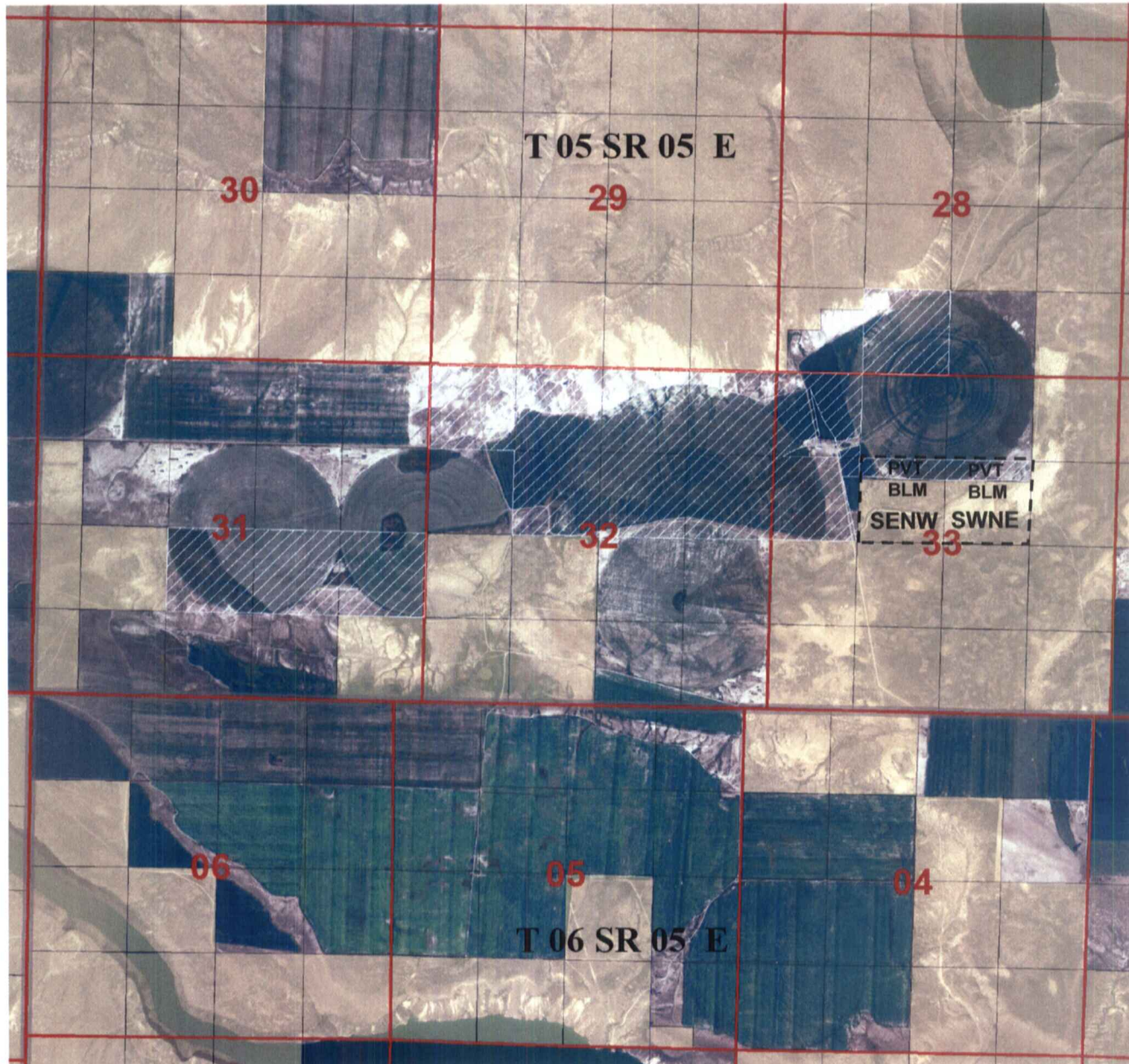
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02-07025; James C. Hilliard



Mixed POUs:

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