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DEC 07 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)

A. Subcase 02-02398
(Insert water right number)

Case No. 39576)

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: Lance D. Funk

Address: 3853 Rast Road; American Falls, Idaho 83211

Name: Lisa I. Funk

Address: 3853 Rast Road; American Falls, Idaho 83211

Name:

Address: ;

Name:

Address: ;

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)

David N. Price for LAD
(Attorney signing in representative capacity)

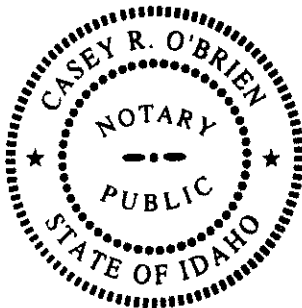
Subscribed and sworn to before me on: December 04, 2007

Casey R. O'Brien
Casey R. O'Brien

Notary Public for State of Idaho

Residing at: Nampa, ID.

My Commission Expires: 10-31-2009



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.

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 12-5, 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: Lance D. Funk
Address: 3853 Rast Road; American Falls, Idaho 83211

Name: Lisa I. Funk
Address: 3853 Rast Road; American Falls, Idaho 83211

Name:
Address: ;

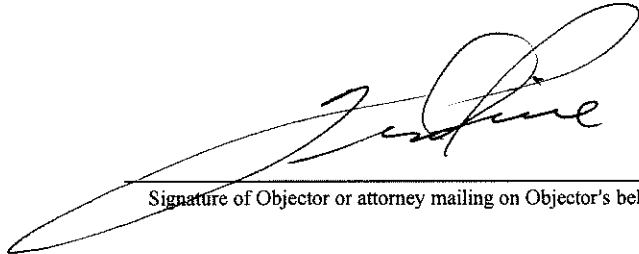
Name:
Address: ;

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

04/26/2007

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

RIGHT NUMBER: 2-2398

NAME AND ADDRESS: LISA I FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

LANCE D FUNK
3853 RAST RD
AMERICAN FALLS ID 83211

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.740 CFS
935.00 AFY

PRIORITY DATE: 10/01/1966

POINT OF
DIVERSION:

T05S R06E S36 NESE Lot 1 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.740 CFS 935.00 AFY

PLACE OF USE: IRRIGATION in ELMORE County

<u>Mixed</u>	<u>T05S R06E S26</u>	<u>NENE</u>	<u>20.00</u>	<u>T05S R06E S26</u>	<u>NWNE</u>	<u>2.00</u>	<u>1</u>
	T05S R06E S26	SWNE	36.00	T05S R06E S26	SENE	34.00	
	T05S R06E S26	NESE	40.00	T05S R06E S26	NWSE	30.00	
	T05S R06E S26	SWSE	5.00	T05S R06E S26	SESE	20.00	

187 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 - License

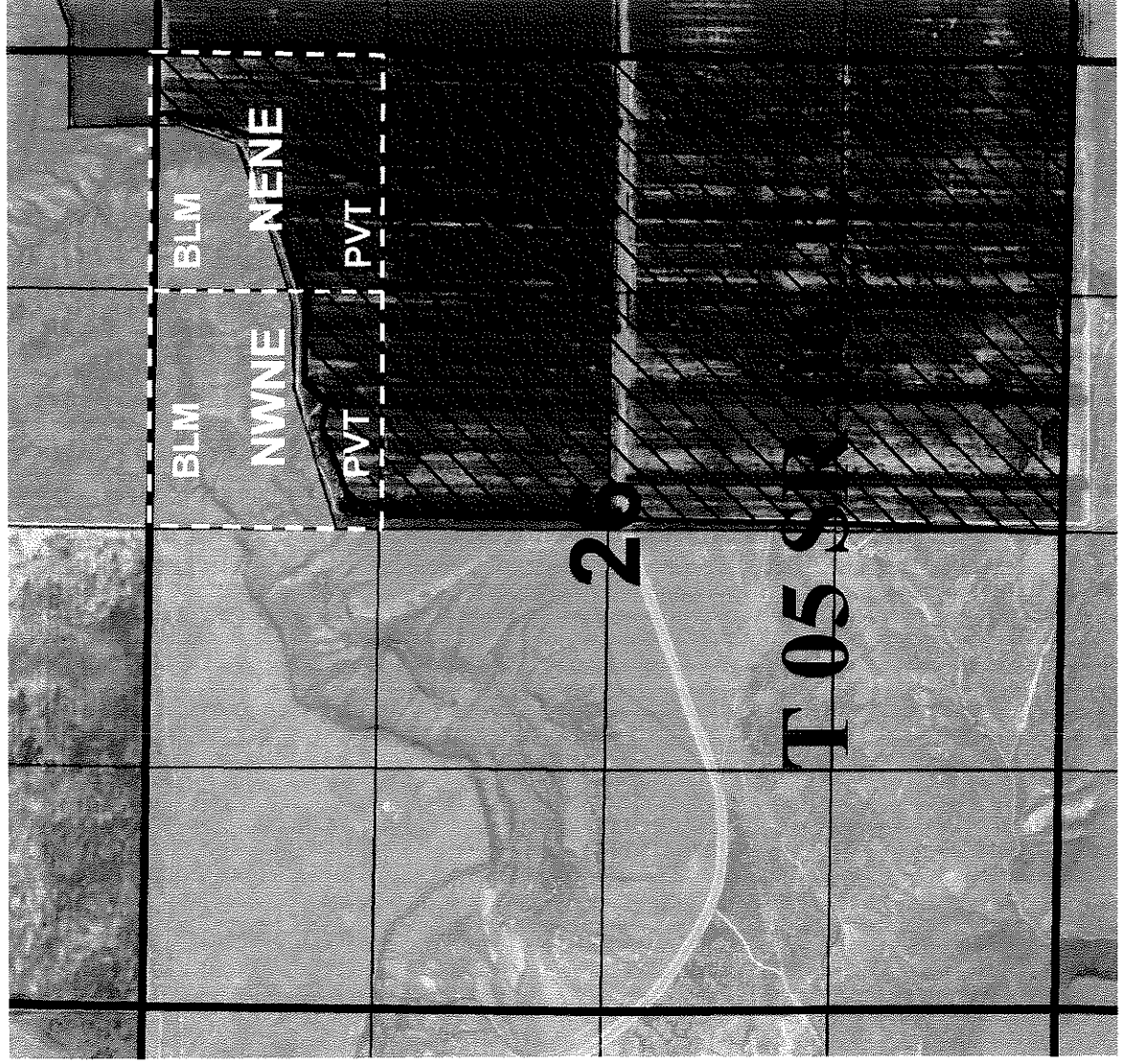
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Mixed POU:

-The places of use identified describe 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."

02-02398; Lance & Lisa Funk



Mixed POUs:

-The places of use identified describe 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."

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

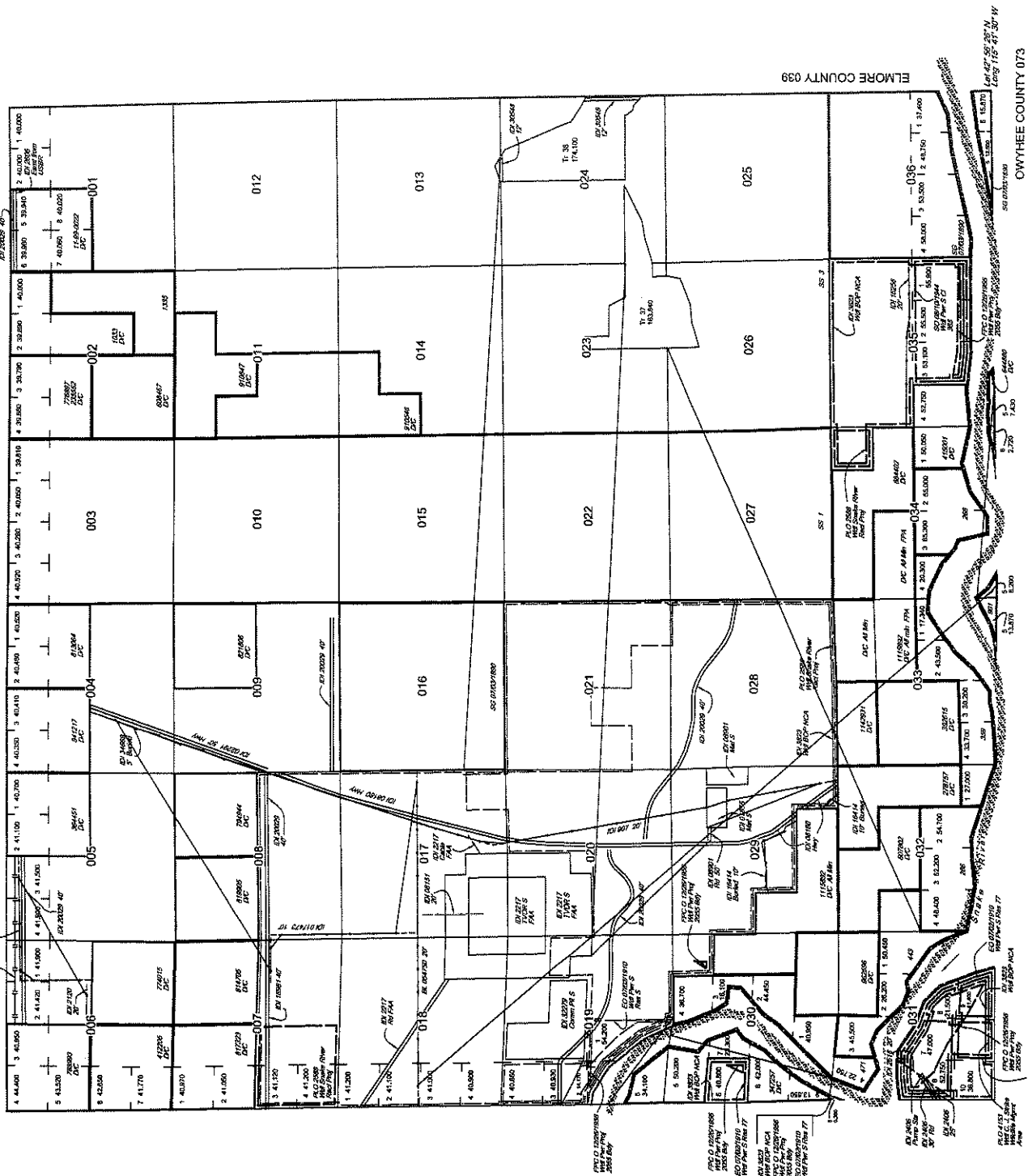
MT PLAT

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE #:	DOH0000000000-04100000.Amg
CONVERTED TPT:	06/27/2006
LAST UPDATED:	06/27/2006
QACC #1:	QACC #2:
POSTED TO PUBLIC RECORDS:	
PUBLIC LAND SURVEY SYSTEM (PLS)	ST: UTM
BUM SECT# ACQUIRED:	ST: UTM
OTHER:	QACC#06
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, YEAR 1983	
NOTES:	
LINE PLAT#:	

Robert M. Coe
T. 55
R. 6 E



DISCLAIMER:

This field is only a graphic display of the Bureau of Land Management's (BLM) Record of Decision (ROD) survey data. Records from the ROD are not used to reflect those changes which may have been affected by lateral movements of these or other bodies of water. Refer to coastal surveys or official hydrographs.

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U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinland Way Boise, Idaho 83709
(208) 373-1000

