

RECEIVED

DEC 11 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 75-00069Q
(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: Rodney Hugh & Susan Francine Edmiston
Address: P.O. Box 155; Carmen, Idaho 83462

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. *PLACE OF USE DOES NOT INCLUDE
FEDERAL PUBLIC LANDS*
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

)

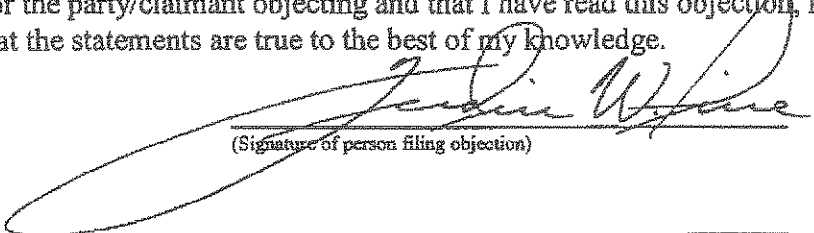
) ss.

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.

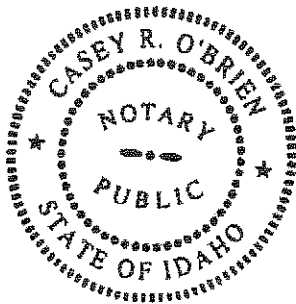

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 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. 16th, 200~~8~~⁷, 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: Rodney Hugh & Susan Francine Edmiston

Address: P.O. Box 155; Carmen, Idaho 83462

Name:

Address: ;

Name:

Address: ;

Name:

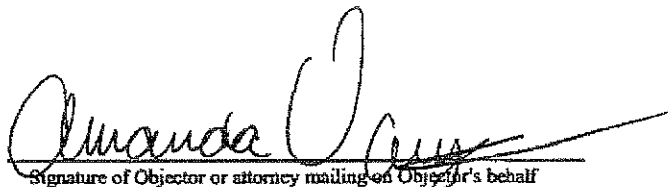
Address: ;

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: 75-69Q
NAME AND ADDRESS: RODNEY HUGH EDMISTON
PO BOX 155
CARMEN ID 83462
SUSAN FRANCINE EDMISTON
PO BOX 155
CARMEN ID 83462

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: 0.021 CFS
PRIORITY DATE: 05/01/1988
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	0.021 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		

T22N R22E S03	SWNE	4.00	T22N R22E S03	SENE	3.00
---------------	------	------	---------------	------	------

7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 7 acres in a single irrigation season. Combined Right Nos.: 75-69Q, 75-70Q, 75-10061AA, 75-10062Y and 75-14337.

*PLACE OF USE DOES NOT INCLUDE
FEDERAL PUBLIC LAND*

This right is limited to the irrigation of 4 acres within the place of use described above in a single irrigation season.

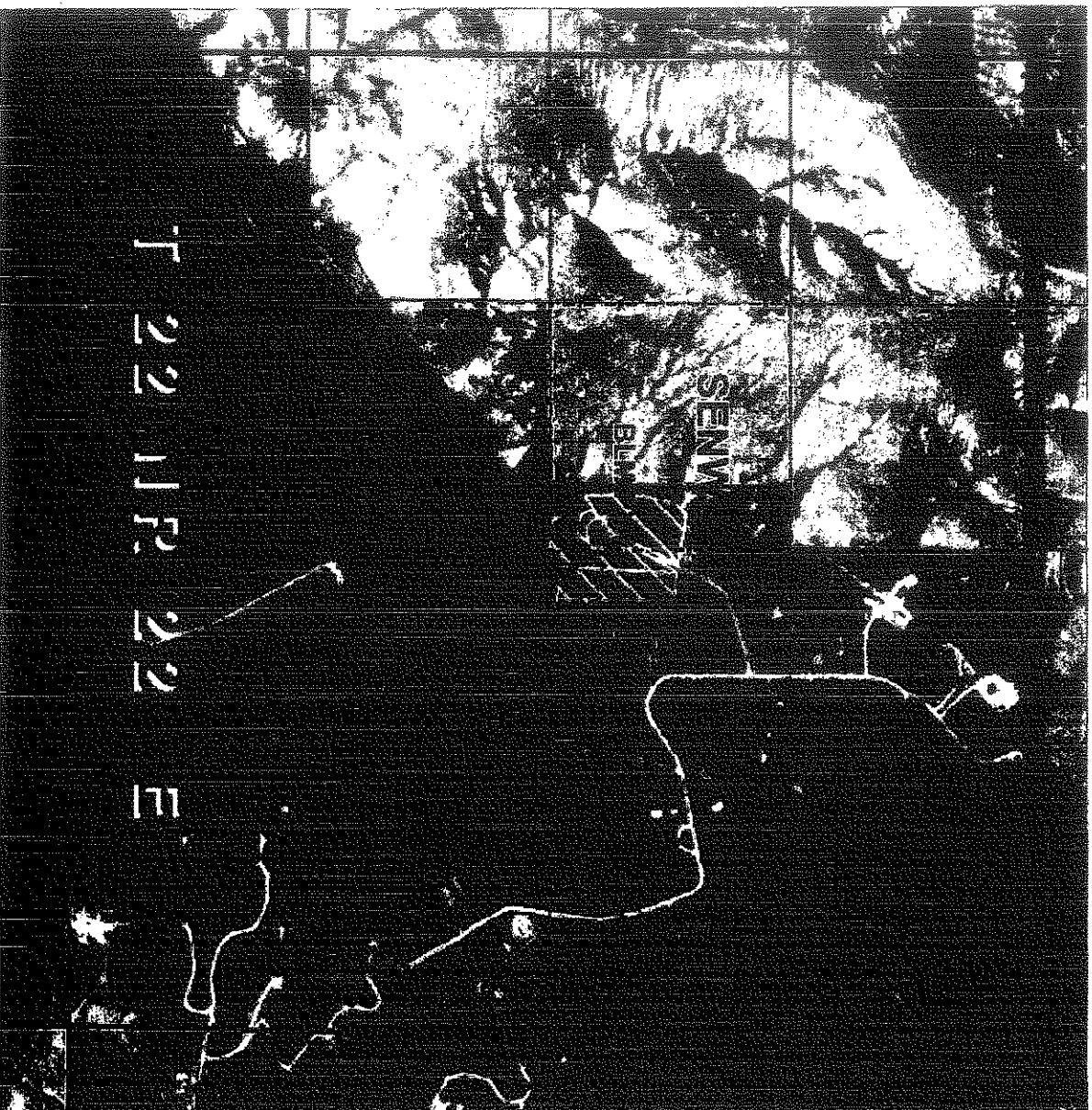
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

75-00069Q, 75-00070Q, 75-02025J, 75-10061AA, 75-10062Y

Rodney & Sue Edmiston



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."