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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 75-10061Q
(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 R. Quinn
Address: P.O. Box 1473; Carmen, Idaho 83462

Name: Rowena D. Quinn
Address: P.O. Box 1473; Carmen, Idaho 83462

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: See attached.
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:
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 the point of diversion (POD) is claimed. The claimant's use of federal public land is unauthorized. Claimant's water right should not include a POD on federal public land. Perhaps the description is a typographical error and should be described in SWNW as the claimed and recommended source of Carmen Creek does not pass through the POD recommended on federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

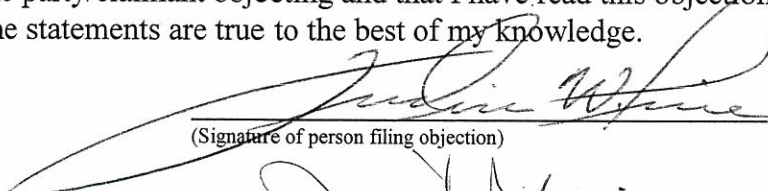
) ss.

County of ADA

)

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

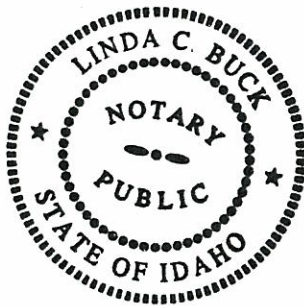
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:


Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

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 June 27, ²⁰⁰⁸~~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:

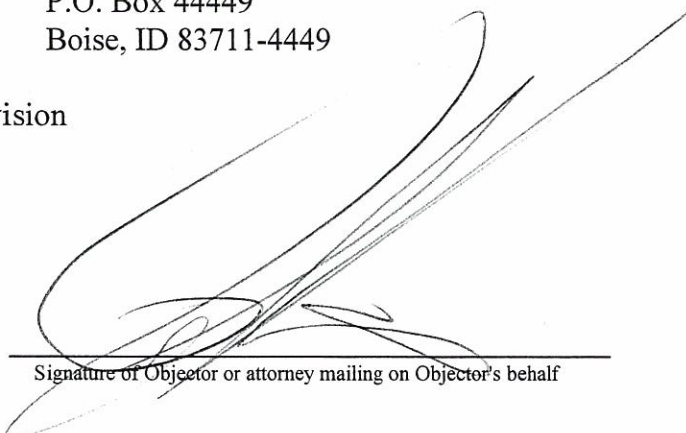
Name: James R. Quinn
Address: P.O. Box 1473; Carmen, Idaho 83462
Name: Rowena D. Quinn
Address: P.O. Box 1473; Carmen, Idaho 83462
Name:
Address: ;
Name:
Address: ;

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

03/20/2008

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

RIGHT NUMBER: 75-100610
NAME AND ADDRESS: JAMES R QUINN
PO BOX 1473
CARMEN ID 83462
ROWENA D QUINN
PO BOX 1473
CARMEN ID 83462

POD on BLM:

-The POD described as T22N R22E S02
SWSWNE does not have the source "Carmen
Creek" within the quarter quarter.
-Should this POD be described within T22N
R22E S02 SWNW where Carmen Creek
flows?

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.025 CFS
PRIORITY DATE: 05/01/1875

POINT OF
DIVERSION:

[T22N R22E S2 SWSWNE Within LEMHI County] BLM
T22N R22E S2 SWNW 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	0.025 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S02 SWNW 3.20

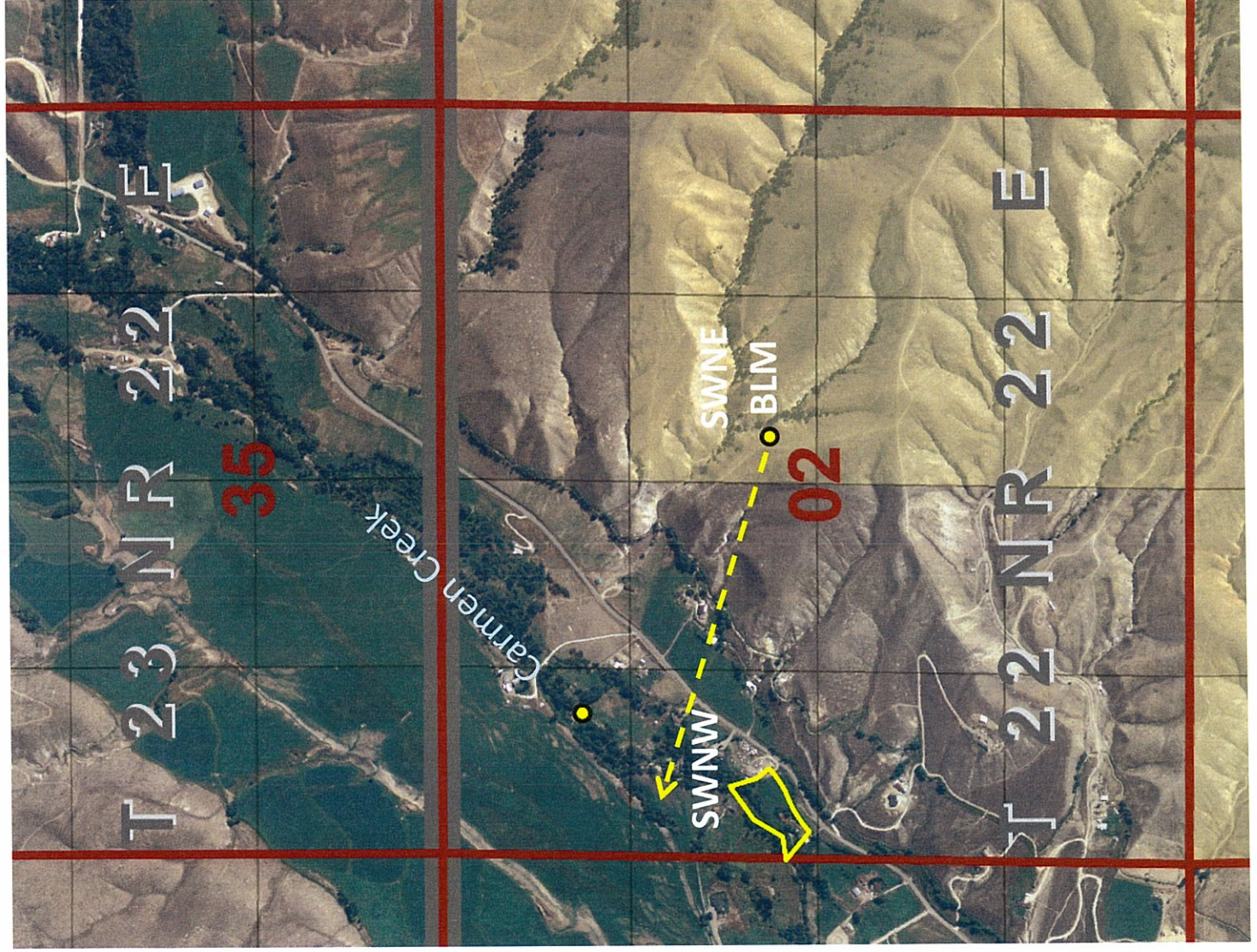
3.2 ACRES TOTAL

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 - Decreed

78-10061Q; Quinn



POD on BLM:

- The POD described as T22N R22E S02
- SWSWNE does not have the source "Carmen Creek" within the quarter quarter.
- Should this POD be described within T22N R22E S02 SWNW where Carmen Creek flows?

LEMHI COUNTY 059
IDAHO FALLS DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

[illegible]

EO 04/04/1917 Wdt Pwr Proj 595 affects all
unpatented land lying within 50' of center line
H 015964

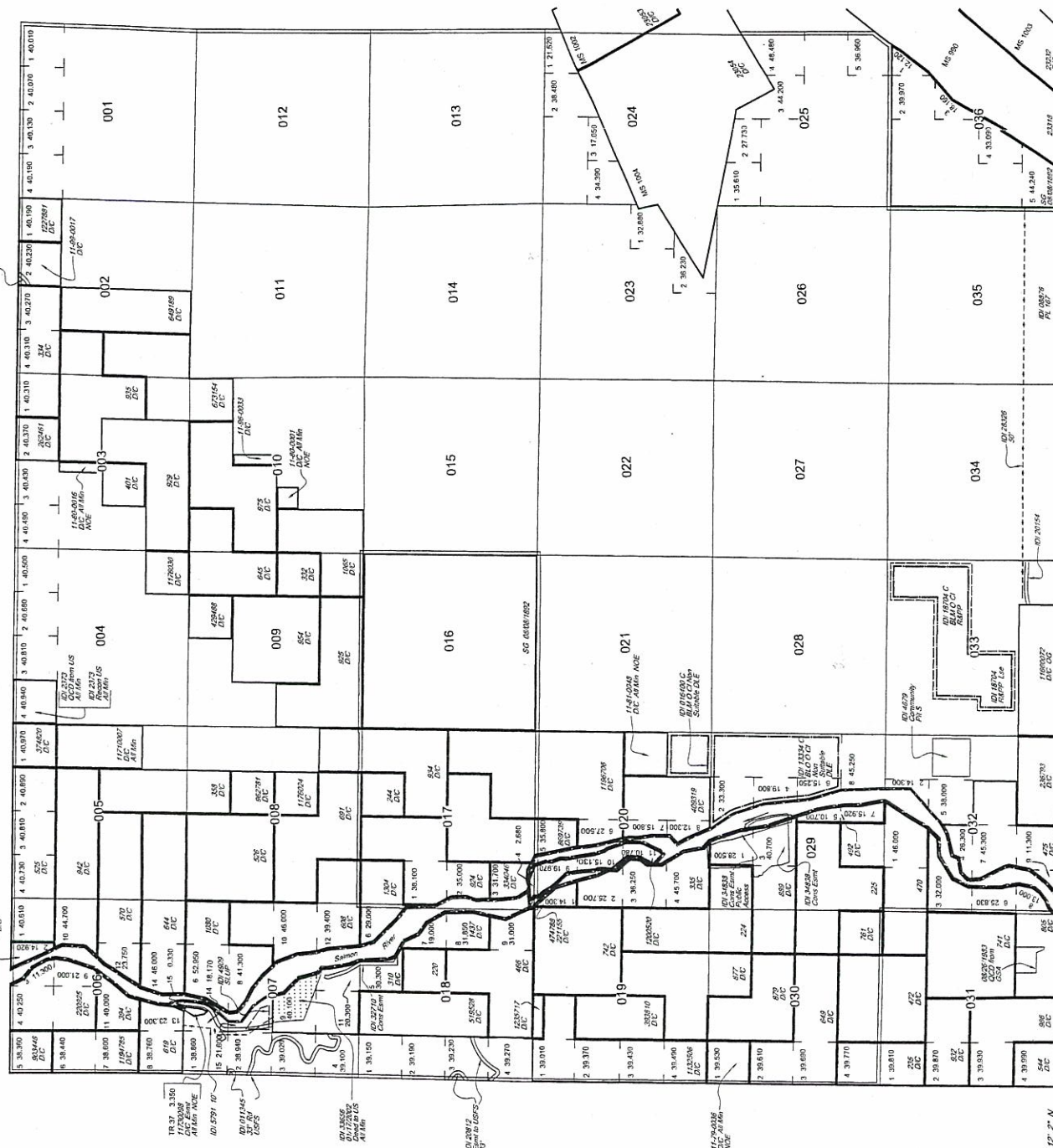
Soc 25: E2SE, SWSE

DI 08876 Det PL 167 (Act of Cong 07/23/1955)
Completed 06/13/1962. All PD surface Mamt by BLM

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

FILE REF: E060220220205AM10000a.mg	BY: DWB
CONTACTED IFF: 04/19/2007	BY: DWB
LAST UPDATED: 05/01/2007	
QACQ #1: E0 04/27/2007	QACQ #2: DWB 05/02/2007
POSTED TO PUBLIC RECORDS: May 11, 2007	
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BUT GOB ACQUIRED: N/A	
OTHER: N/A	
PROJECTED COORDINATE SYSTEM: UTM ZONE 18N NAD 83	
NOTES:	
USE PLATS:	

Bolso Mar.
T. 22 N
R. 22 E

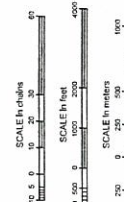


Abstract:

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the Historical Index for the date of the original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or management use with other data is not warranted.



J.S. Bureau of Land Management - Idaho State Office
1387 S. Vinell Way Boise, Idaho 83709
(208) 373-4000



Lat. 45° 12' 2" N
Long. 113° 10' 25" W