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JAN 16 2009

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 37-02103
(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: (208) 373-3831 (Fred Price)
Name & Address of Attorney, if any:

David L. Negri (208) 334-1936 phone, (208) 334-1414 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: Danny & Valerie VanHorn
Address: P.O. Box 345; Fairfield, Idaho 83327

Name: John E. Robertson (attorney for claimant)
Address: P.O. Box 1906; Twin Falls, Idaho 83303-1906

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. There does not appear to be a spring source or diversion on public land within the NESWSW, S15, T01N, R13E. Perhaps there is a typographical error in the description.

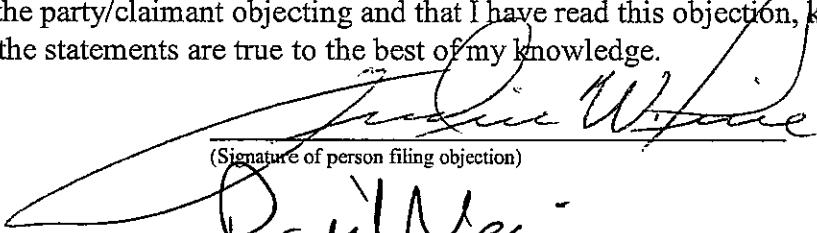
F.

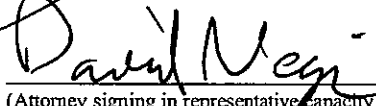
VERIFICATION (Must be Completed)

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)

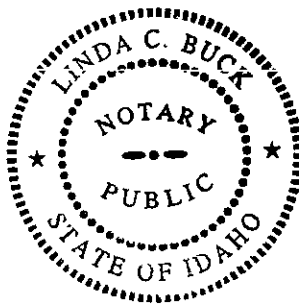
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 14, 2009


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 01-15, 2009, 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: Danny & Valerie VanHorn
Address: P.O. Box 345; Fairfield, Idaho 83327

Name: John E. Robertson (attorney for claimant)
Address: P.O. Box 1906; Twin Falls, Idaho 83303-1906

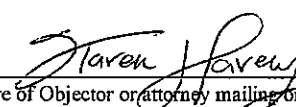
3. Copies to:

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

Hot Springs Ranch
230 Corral Creek Rd
Fairfield, ID 83327



Signature of Objector or attorney mailing on Objector's behalf

11/17/2008

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

RIGHT NUMBER: 37-2103
NAME AND ADDRESS: DANNY VANHORN
PO BOX 345
FAIRFIELD ID 83327
VALERIE VANHORN
PO BOX 345
FAIRFIELD ID 83327

POD on BLM:

-There does not appear to be a spring diversion
recommended as T01N R13E S15 NESWSW.
Perhaps the diversion is misdescribed.

SOURCE: MC MAHAN CREEK
SPRINGS

TRIBUTARY: THREEMILE CREEK
TRIBUTARY: MC MAHAN CREEK

QUANTITY: 4.700 CFS

PRIORITY DATE: 02/05/1908

POINT OF
DIVERSION:

T01N R13E S15 SESENE Within CAMAS County
T01N R13E S15 NESWSW Within CAMAS County | BLM
T01N R13E S21 NWNESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	4.700 CFS

PLACE OF USE: IRRIGATION in CAMAS County

T01N R13E S22	NENW	22.00	T01N R13E S22	NWNW	29.00
T01N R13E S22	SWNW	36.00	T01N R13E S22	SENW	39.00
T01N R13E S22	NESW	39.00	T01N R13E S22	NWSW	25.00
T01N R13E S22	SESW	30.00			

DOMESTIC same as IRRIGATION

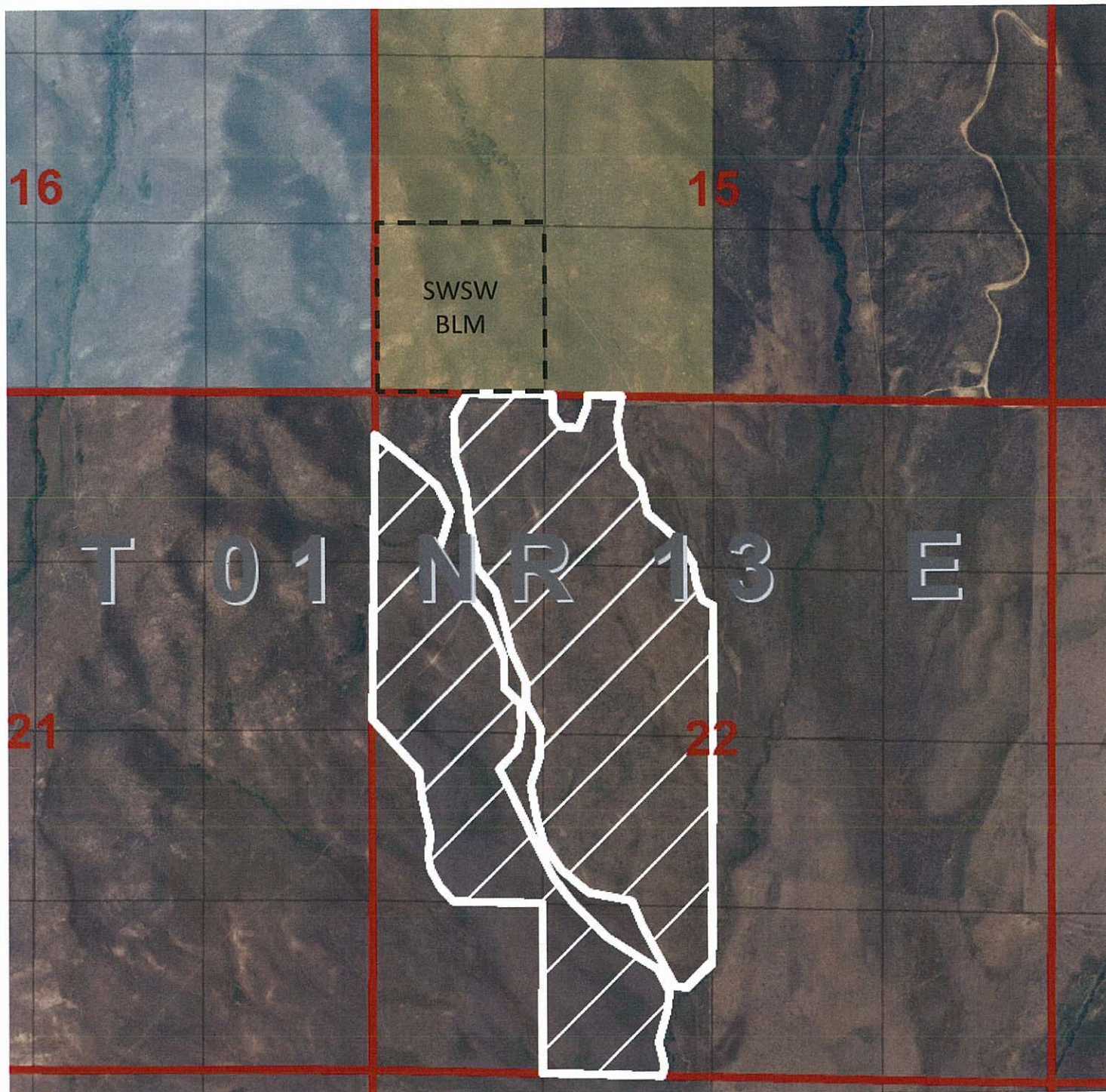
220 ACRES TOTAL

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 No. 37-2131 is also diverted through point of diversion for Mc Mahan described above.



37-02103; VanHorn

POD on BLM:

-There does not appear to be a spring diversion recommended as T01N R13E S15 NESWSW. Perhaps the diversion is misdescribed.

37-02103; VanHorn



POD on BLM:

-There does not appear to be a spring diversion recommended as T01N R13E S15 NESWSW. Perhaps the diversion is misdescribed.

