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FEB 27 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 67-00408
(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: Hornet Creek Water Storage Assn., Ltd., c/o Jack Bebelt, Secretary
Address: 2280 Old Hornet Road; Council, Idaho 83612-5033

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 United States of America is the owner of the land upon which a portion of the use is claimed. The use of federal public land is not authorized. Claimant's water right should not include federal public land.

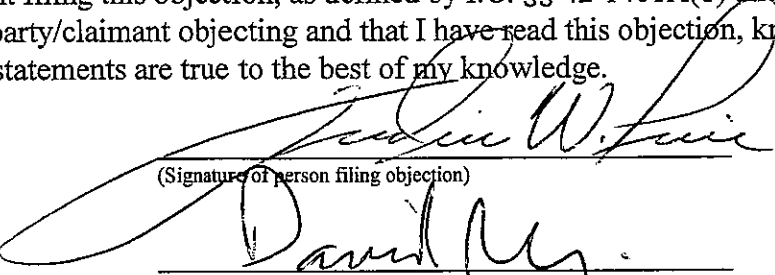
F.

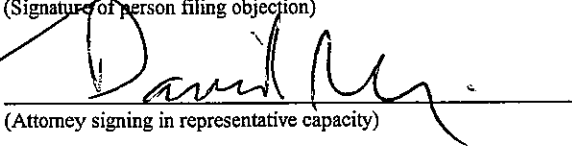
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

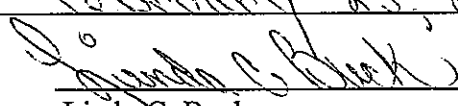
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

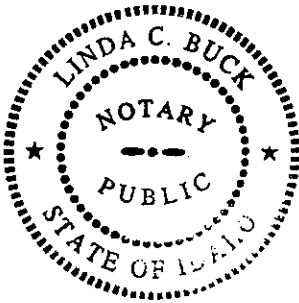
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

February 25, 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 2 - 25, 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: Hornet Creek Water Storage Assn., Ltd., c/o Jack Bebelt, Secretary
Address: 2280 Old Hornet Road; Council, Idaho 83612-5033

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

RECEIVED

JAN 12 2009

DOJ/BOISE

AMENDED DIRECTOR'S REPORT

Subcase No. 67-00408

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
David R. Tuthill, Jr., Director
Donald V. Shaff, Adjudication Bureau Chief

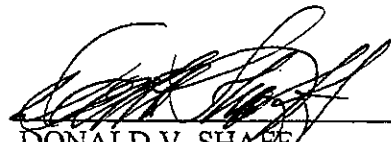
January 8, 2009

DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Order Requesting Amended Director's Report from IDWR and Order Setting Deadlines* issued by Special Master Booth on October 22, 2007, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).


DONALD V. SHAFF
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on 11/9, 2009, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

HORNET CREEK WATER STORAGE
ASSN LTD
C/O JACK RUBELT SECRETARY
2280 OLD HORNET RD
COUNCIL, ID 83612-5033

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

United States Dept. of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Div.
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

Washington County Courthouse
P.O. Box 670
Weiser, ID 83672



Signature of person delivering form

01/06/2009

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

RIGHT NUMBER: 67-408

NAME AND ADDRESS: HORNET CREEK WATER STORAGE ASSN LTD
C/O JACK RUBELT SECRETARY
2280 OLD HORNET RD
COUNCIL ID 83612-5033

PLACE OF USE description
(ie. digital boundary) includes
federal public lands where
such activity is not authorized.

SOURCE: HORNET CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 270.000 AFY

PRIORITY DATE: 05/28/1909

POINT OF DIVERSION:

T17N R03W S20 SWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	270.00 AFY
IRRIGATION FROM STORAGE	05/01 10/15	270.00 AFY

PLACE OF USE:

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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



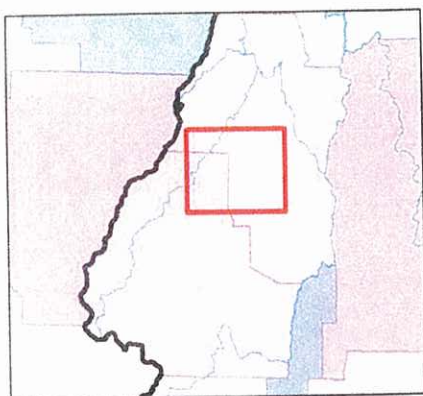
Hornet Creek Water Storage Assn Ltd

SRBA Recommendations: 67-408, 67-409

Service Area Boundary
GIS Place of Use Illustration

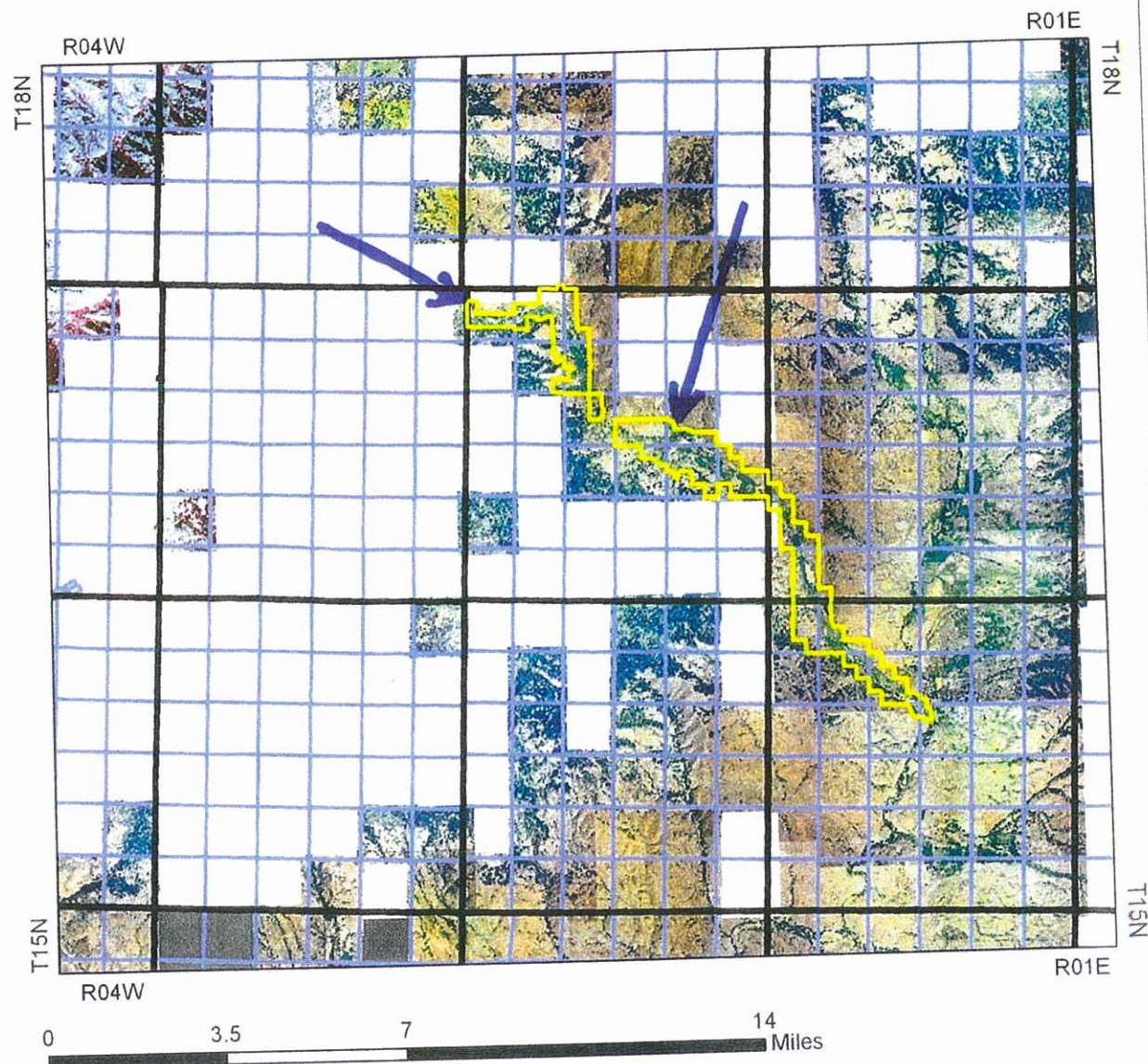
Legend

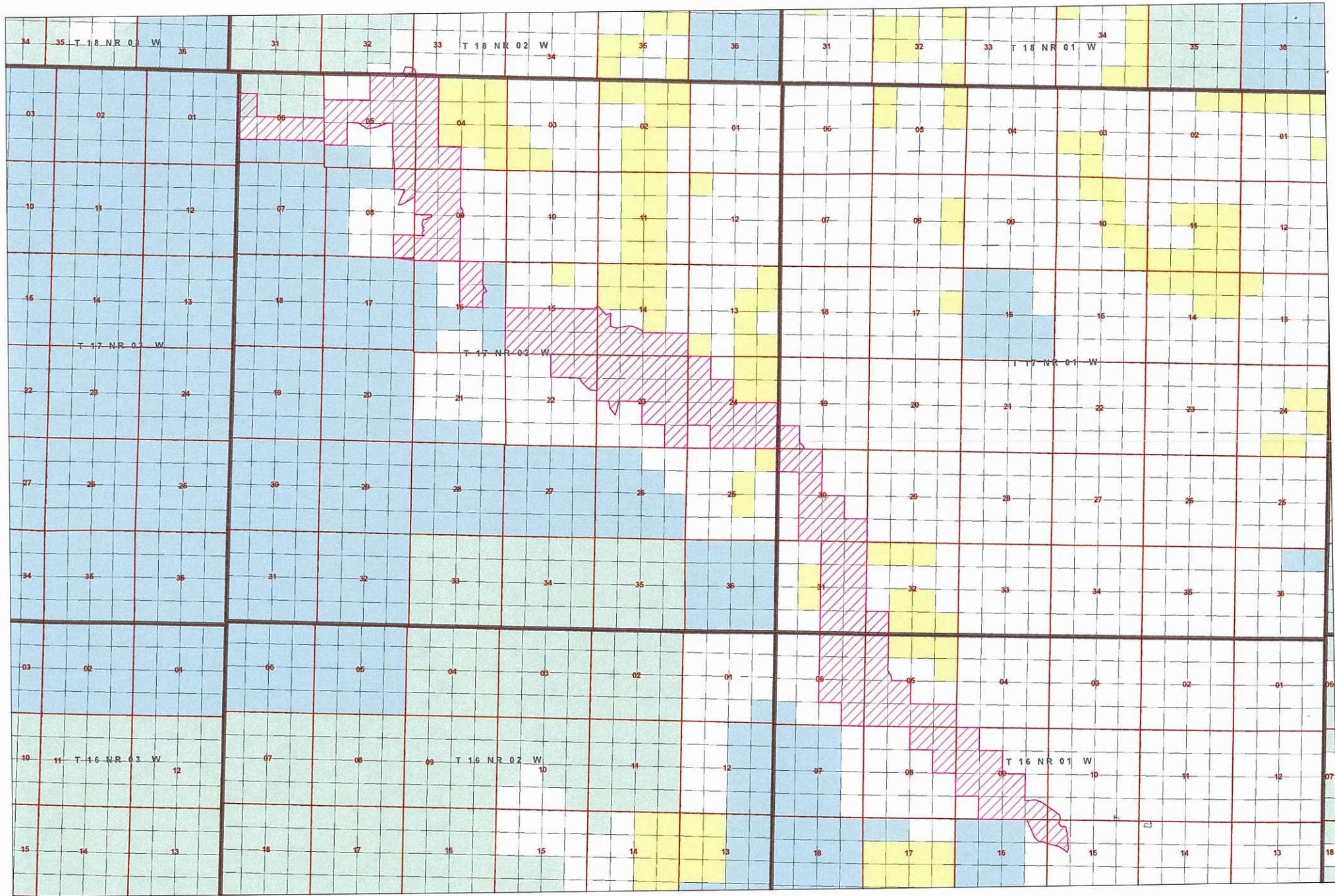
-  Service Area
-  State Outline
-  Townships
-  PLS Sections



Adams, Washington Counties
IDWR Basin 67

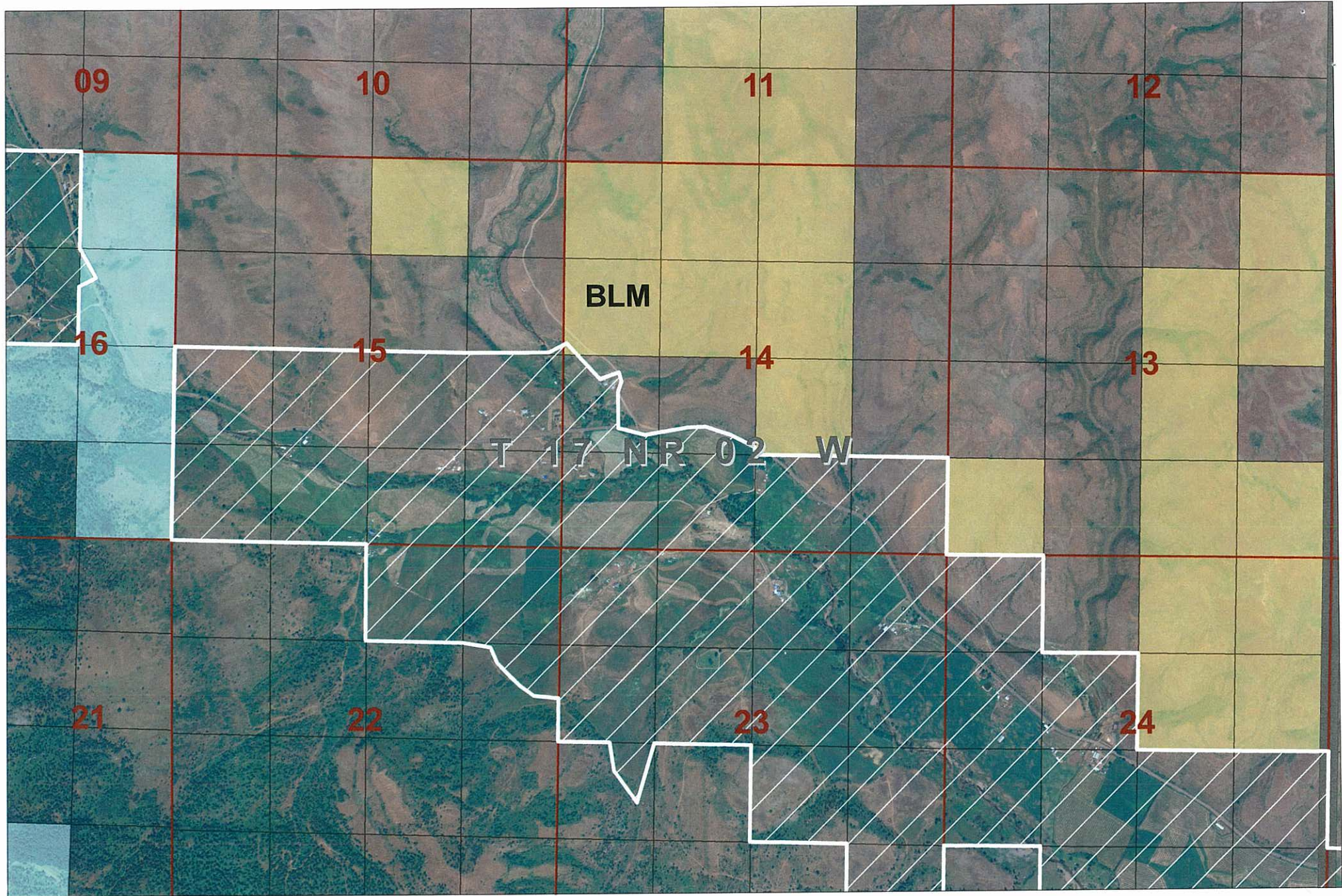
Prepared by Danielle Favreau
On January 06, 2009
1987/88 Aerial Photography





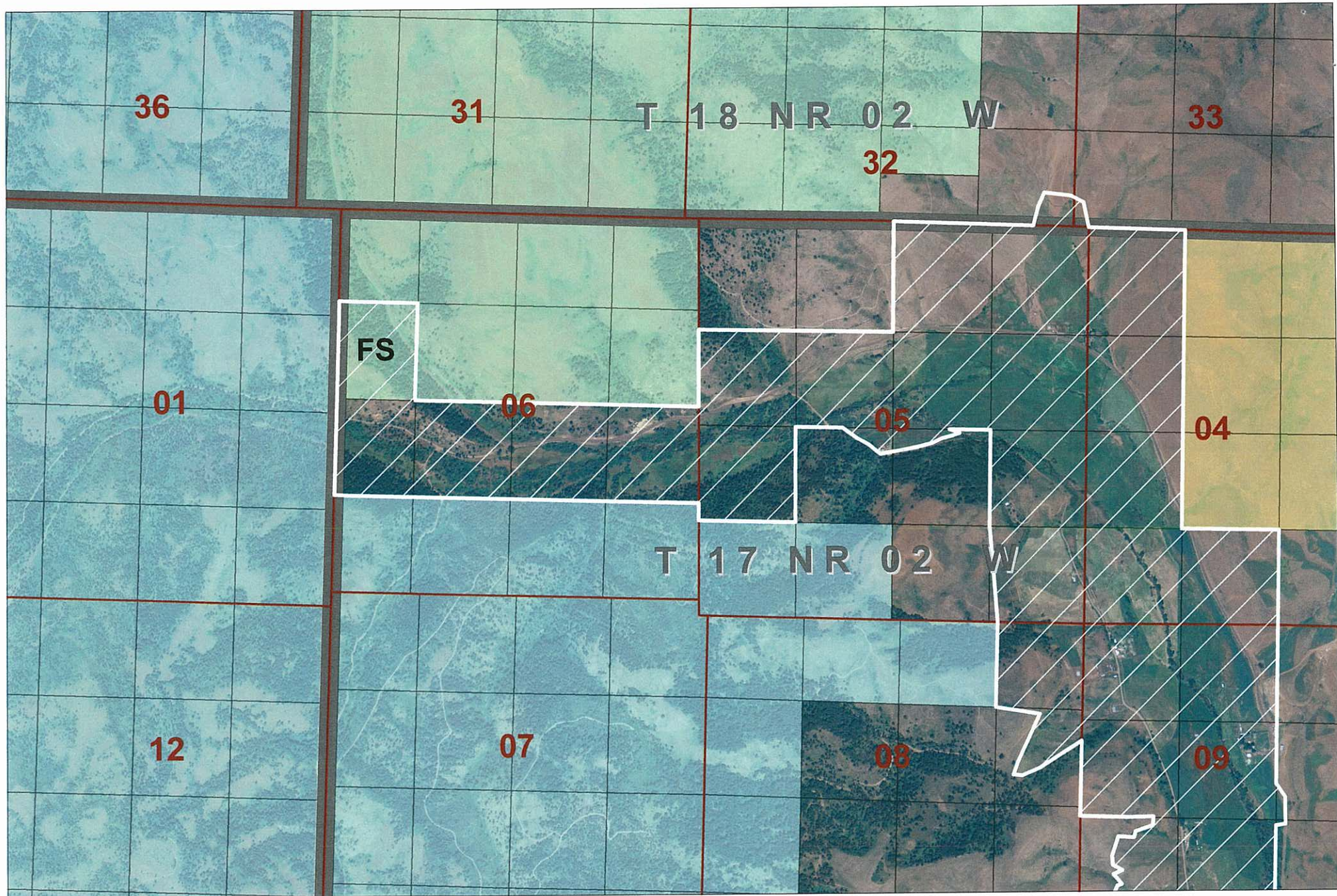
0 0.25 0.5 0.75 1 Miles





0 0.04 0.08 0.16 0.24 0.32
Miles





0 0.04 0.08 0.16 0.24 0.32
Miles



ADAMS COUNTY 003
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

Sec 15: Lots 11 to 13 Incl. Dik 7
Peru Division of Tns of Co
Rstd Min

Sec 15: Lots 22 to 24 Incl. Blk 10
Parr Division of Tns of Council
Rstd Man

Sec 10: M&B
Rstd Min

Sec 10: M&B in S2SE

Sec14: M&B in NWNY 1.85 Acres

Sac 10; SWSE M&B, 0.89 Acres more or less

Sec 10: SWSE M&B, 0.89 Acres more or less

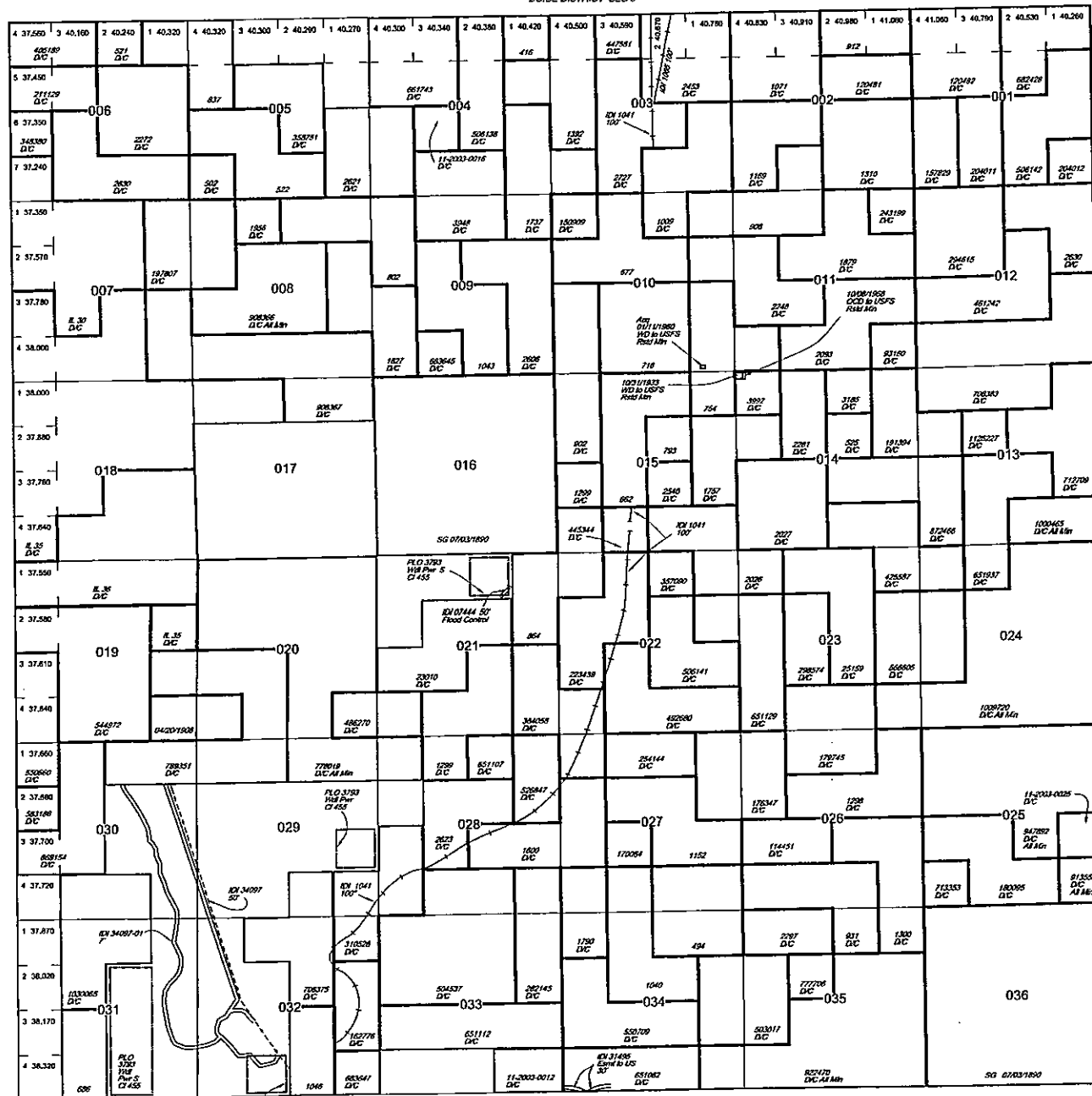
Sec 10: SWSE M&B, 0.89 Acres more or less

100

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

FILE REF: 0000110000101000101000000.dwg	
CONVERTED DATE: 07/28/2005	BY: PB
LAST UPDATED: 06/02/2008	BY: LFM
QA/QC #1:	QA/QC #2:
POSTED TO PUBLIC RECORDS: June 3, 2008	
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GC29 ACQUIRED: 04/25/2005	
OTHER: N/A	
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTES:	
USE PLATS:	

Bolsa Mar.
T. 16 N
R. 1 W



DISCLAIMER:

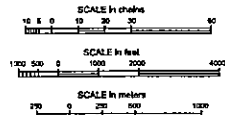
This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

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 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 aggregate use with other data is not guaranteed.

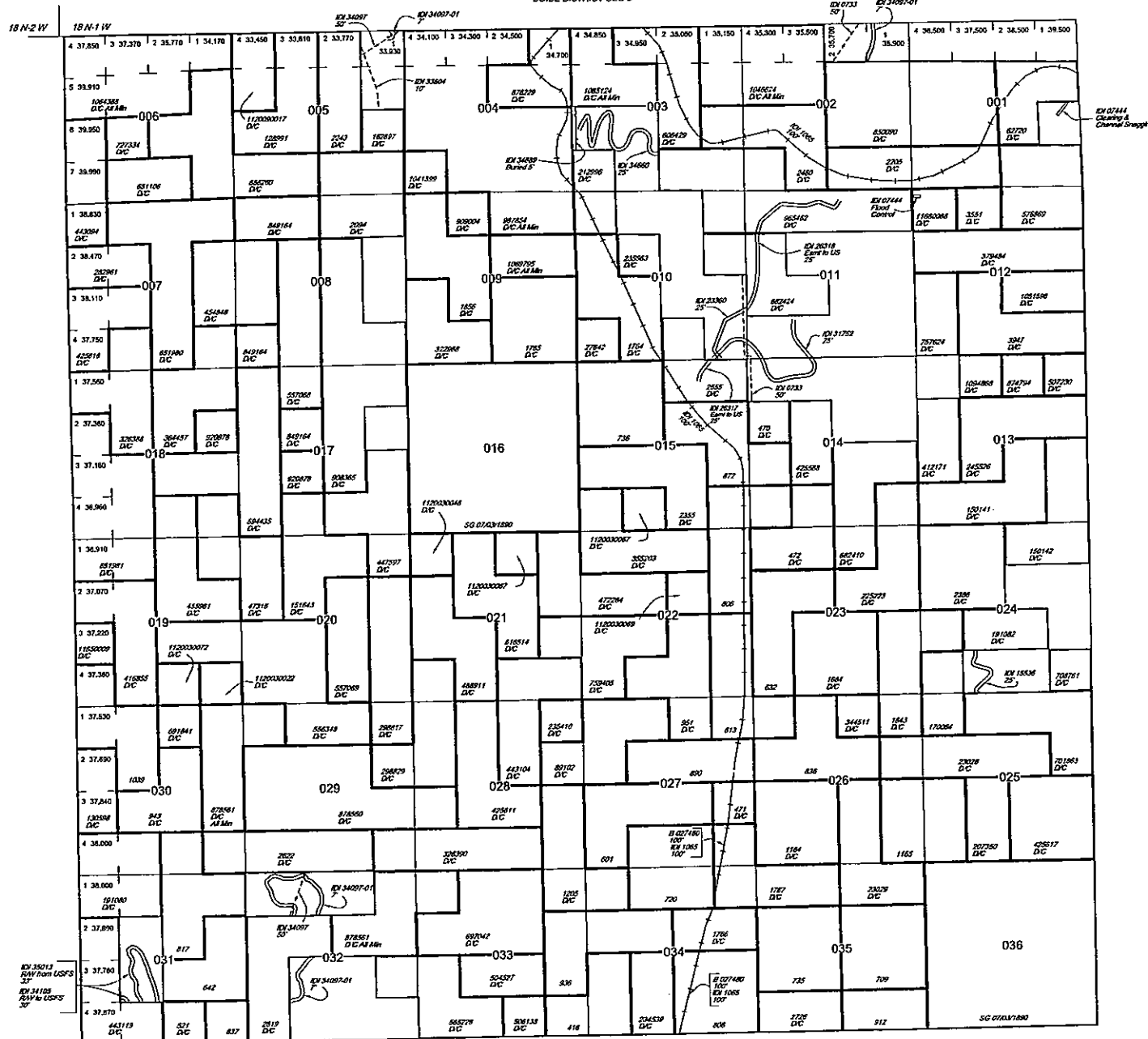


U.S. Bureau of Land Management - Idaho State Office
1387 S. Vinnell Way Boise, Idaho 83709
(208) 373-4000



ADAMS COUNTY 003
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

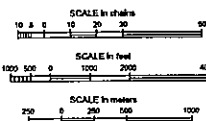
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF:	IX080170X0109WAM1000009.5mg	
CONVERTED TIFT:	07/15/2005	BY: LFM
LAST UPDATED:	07/08/2009	BY: LFM
GARC ID:		GARC REF:
POSTED TO PUBLIC RECORDS:	February 8, 2009	
PUBLIC LAND SURVEY SYSTEM (PLSS)		
BLM GROW ACQUIRED:	04/28/2005	
OTHER:	NEA	
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983	
NOTES:		
USE PLATS:		

Boise Mer.
T. 17 N
R. 1 W



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1387 S. Vinell Way Boise, Idaho 83709
(208) 373-4000



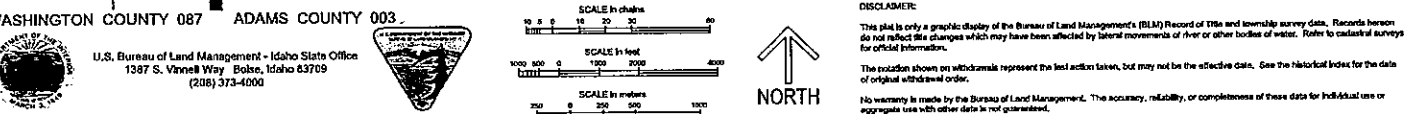
DISCLAIMER

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18 N - 1 W



MT PLAT

[illegible]

IDI 08012 Del PL 167 (Act of Cong 07/23/1955) completed
04/04/1961. All NF surface Mgmt by USFS

DOI 08011 Det PL 167 (Act of Cong 07/23/1955) completed
08/22/1962. AN NF surface Mgmt by USFS

2d 449 (1998)

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

FILE REF: ID080170700104m100000000	
CONVERTED TIF: 04/26/2005	BY: ST
LAST UPDATED: 09/23/2008	BY: JCB
QAQC #1:	QAQC #2:
POSTED TO PUBLIC RECORDS:	September 23, 2008
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
RUN CGBB ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983
NOTES:	
USE PLATS:	

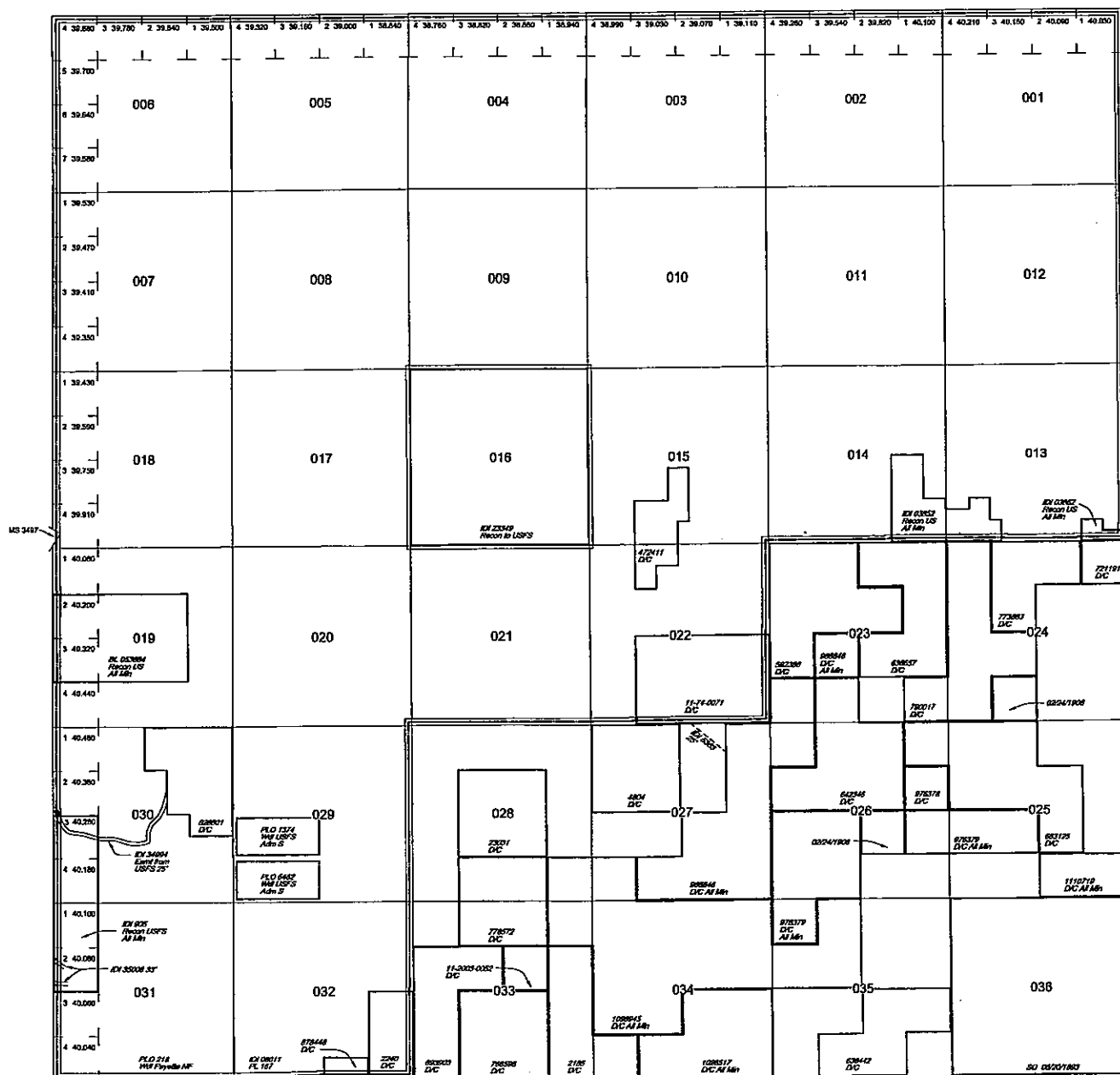
Boys Mer.
T. 17 N
R. 2 W

ADAMS COUNTY 003
BOISE DISTRICT SEC 3

MT PLAT

[illegible]

IDI 08011 Del PL 167 (Act of Cong 07/23/1955) completed
08/22/1962. All NF surface Aqmt by USFS



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

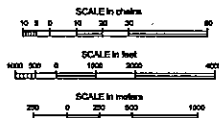
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LAST UPDATED: 12/18/2005	BY: ST
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POSTED TO PUBLIC RECORDS:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GCDB ACQUIRED:	03/18/2005
USFS CFF ACQUIRED:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTES:	

USE PLATS:

Boise Mer,
T. 18 N
R. 2 W



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



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