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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 67-00409
(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

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.

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.

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 02-25, 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

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)

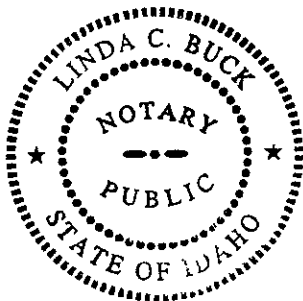
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

David M. [Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

February 25, 2009
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

AMENDED DIRECTOR'S REPORT

Subcase No. 67-00409

RECEIVED

JAN 12 2009

DOJ/BOISE

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

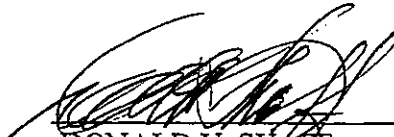
January 8, 2009

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 1/9, 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:

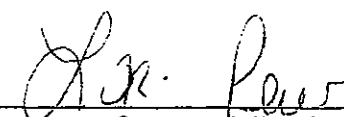
HORNET CREEK WATER STORAGE
ASSN LTD
C/O JACK RUBELT SECRETARY
2280 OLD HORNET RD
COUNCIL, ID 83612-5033

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: 67-409

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: 150.000 AFY

PRIORITY DATE: 07/06/1909

POINT OF DIVERSION:

T17N R03W S20 SWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	05/01 10/15	150.00 AFY
IRRIGATION STORAGE	01/01 12/31	150.00 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



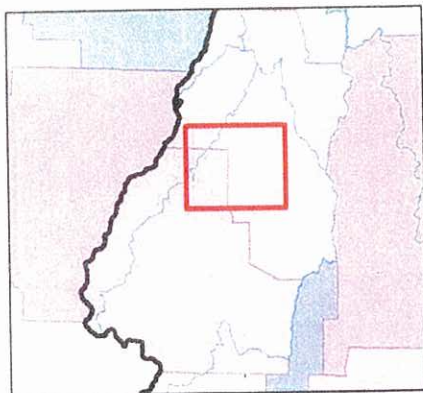
Hornet Creek Water Storage Assn Ltd

SRBA Recommendations: 67-408, 67-409

Service Area Boundary
GIS Place of Use Illustration

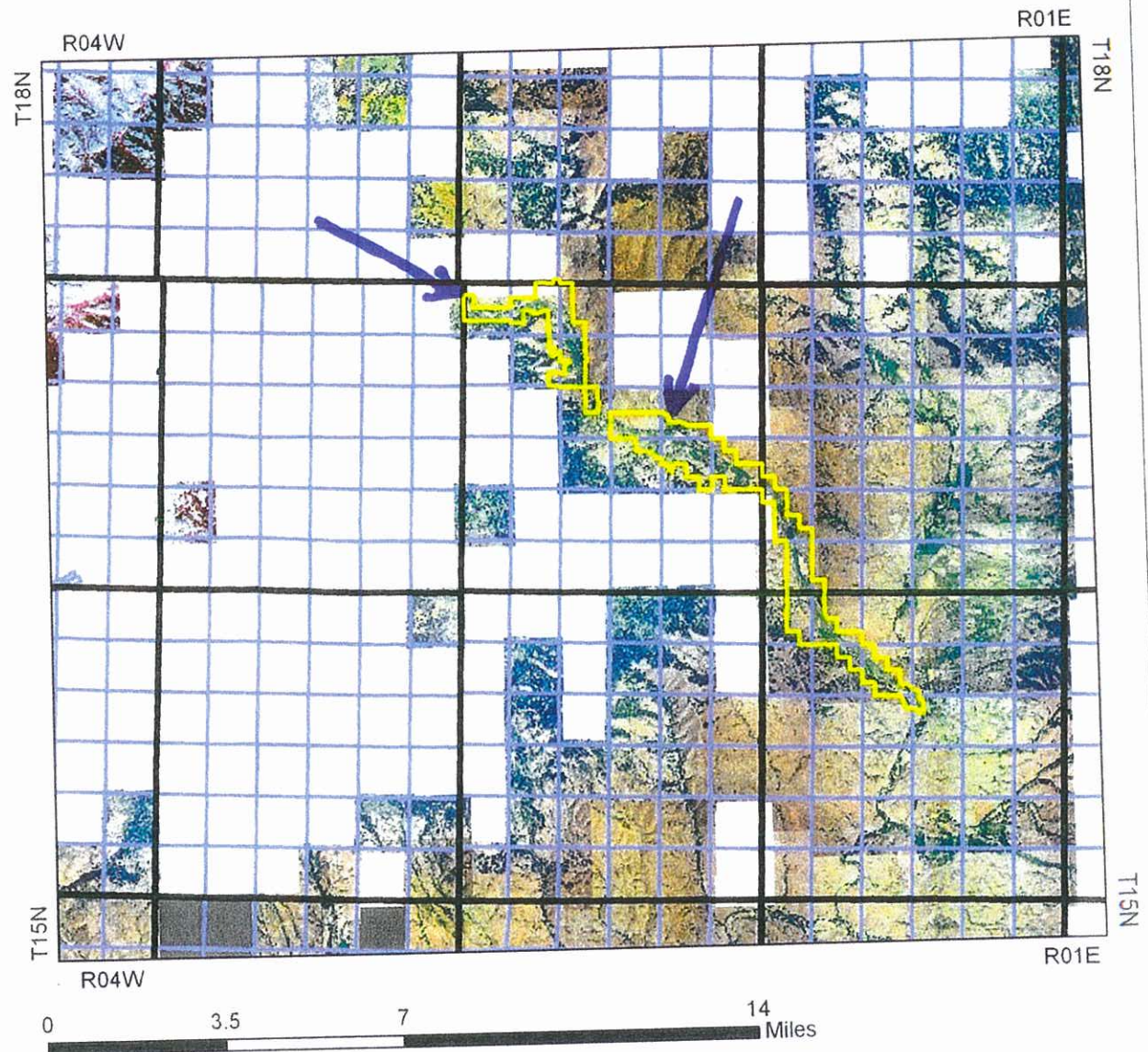
Legend

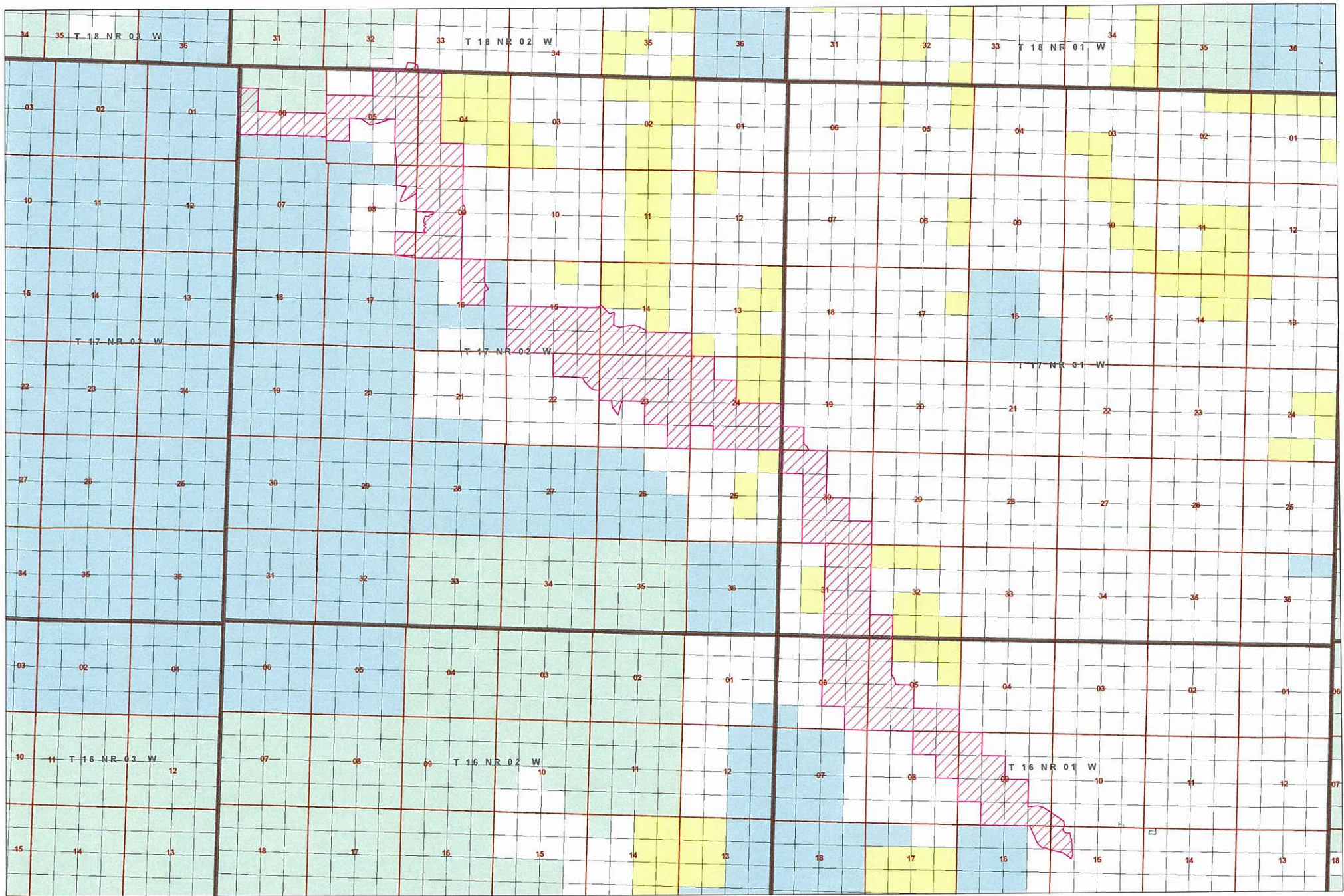
- Service Area
- State Outline
- Townships
- PLS Sections



Adams, Washington Counties
IDWR Basin 67

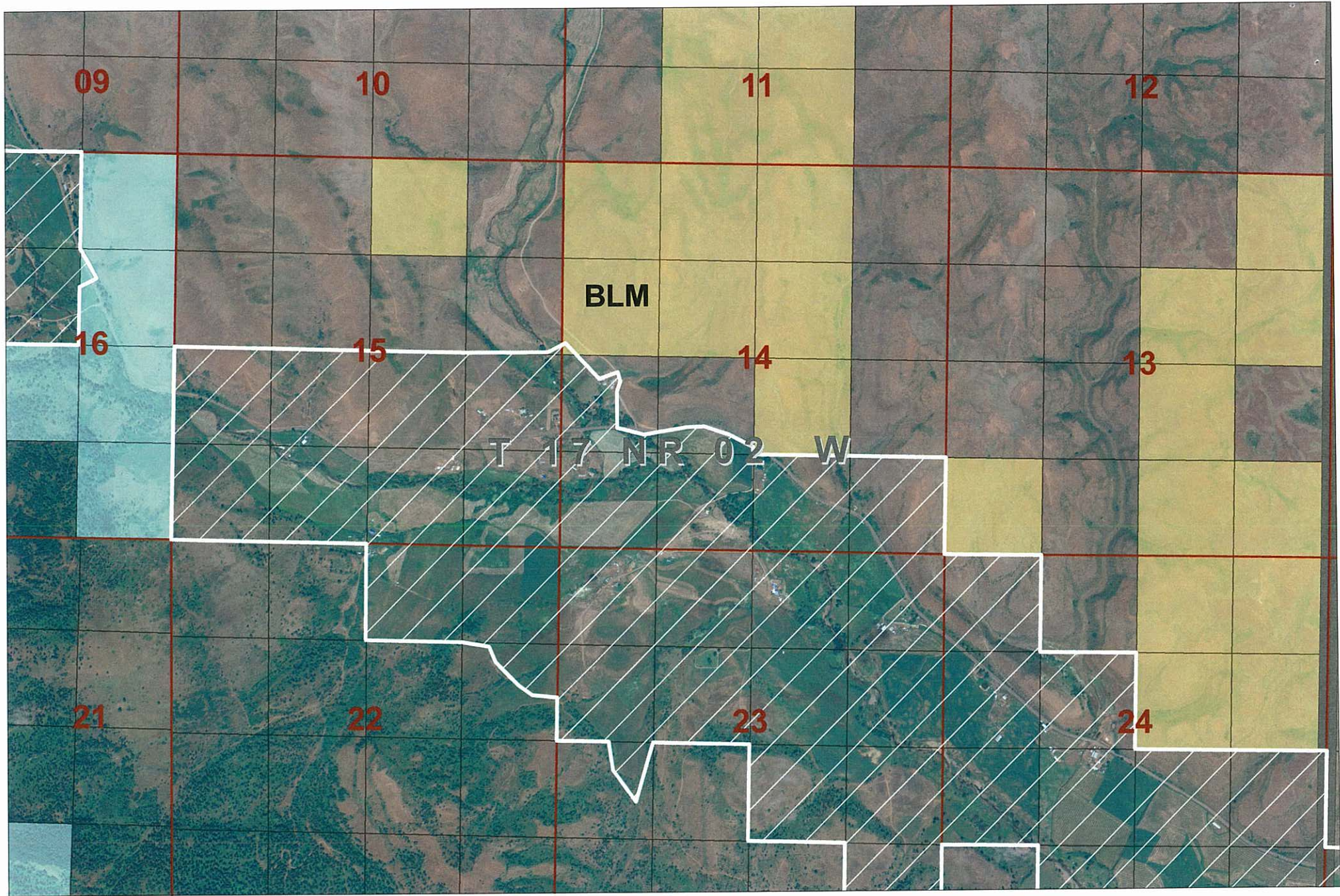
Prepared by Danielle Favreau
On January 06, 2009
1987/88 Aerial Photography





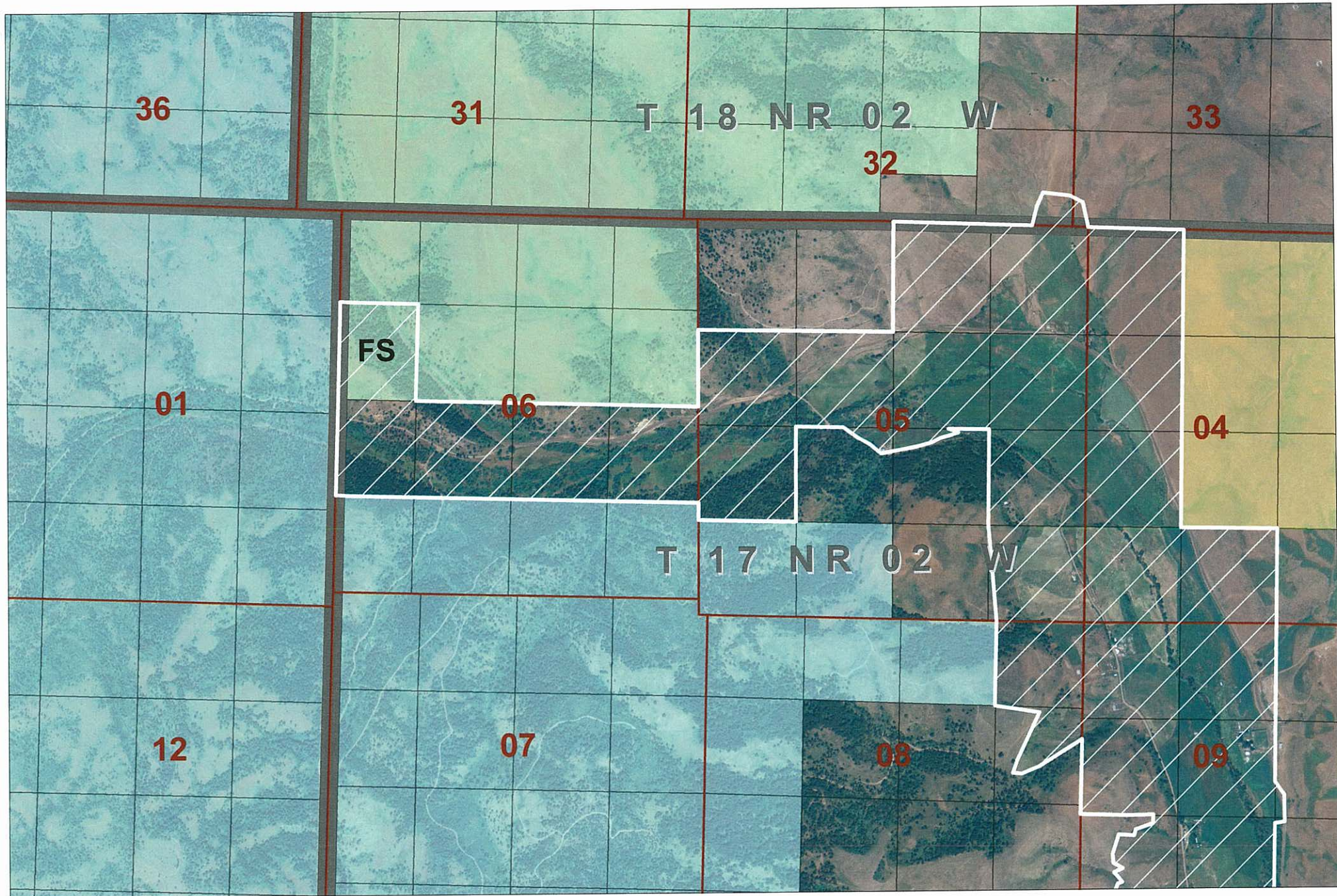
0 0.125 0.5 0.75 1
Miles





0 0.04 0.08 0.16 0.24 0.32
Miles





0 0.08 0.16 0.24 0.32
Miles



ADAMS COUNTY 003
BOISE DISTRICT SEC.3

MT PLAT

[illegible]

TABLE 1

7340 12/17

Rsd Min

Abstract

000 10. 01702 11/01/2000 11/01/2000 01 11/01/2000

Sec 10, BRONX MAP, 6:55 PM 01/14/00

Age Group	Percentage
18-24	10%
25-34	20%
35-44	25%
45-54	20%
55-64	15%
65-74	10%
75-84	5%
85+	5%

1. The first step is to identify the key components of the system. This involves understanding the hardware, software, and data involved. For example, in a web application, this might include the server, the database, and the user interface.

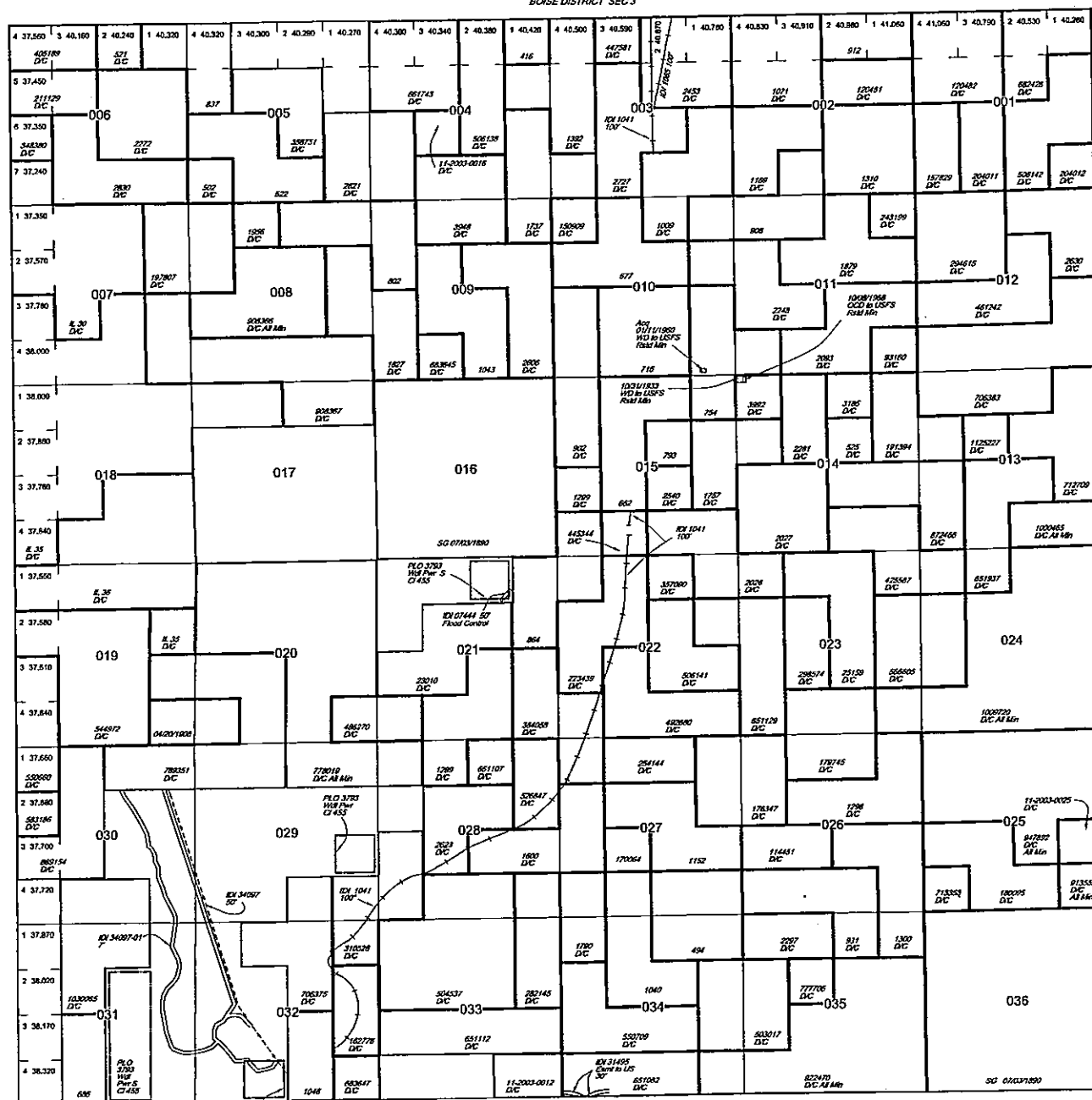
[illegible]

OR ORDERS EFFECTING DISPOSAL OR USE OF

MISCELLANEOUS DOCUMENTS

FILE REF:	ID050152662079yM1000000u.thg		
CONVERTED TFF:	3/17/2005	BY:	PD
LAST UPDATED:	06/02/2008	BY:	LFM
GAGC FI:		GAGC F2:	
POSTED TO PUBLIC RECORDS:	BY:	June 3, 2008	
PUBLIC LAND SURVEY SYSTEM (PLUS)			
BLM GDOB ACQUIRED:		04/06/2005	
OTHER:		N/A	
PROJECTED COORDINATE SYSTEM:		UTM ZONE 11N,NAD 1983	
NOTES:			
USE PLATS:			

Bohn Mar.
T. 16 N
R. 1 W

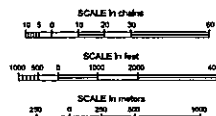


This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to cadastral survey for official information.

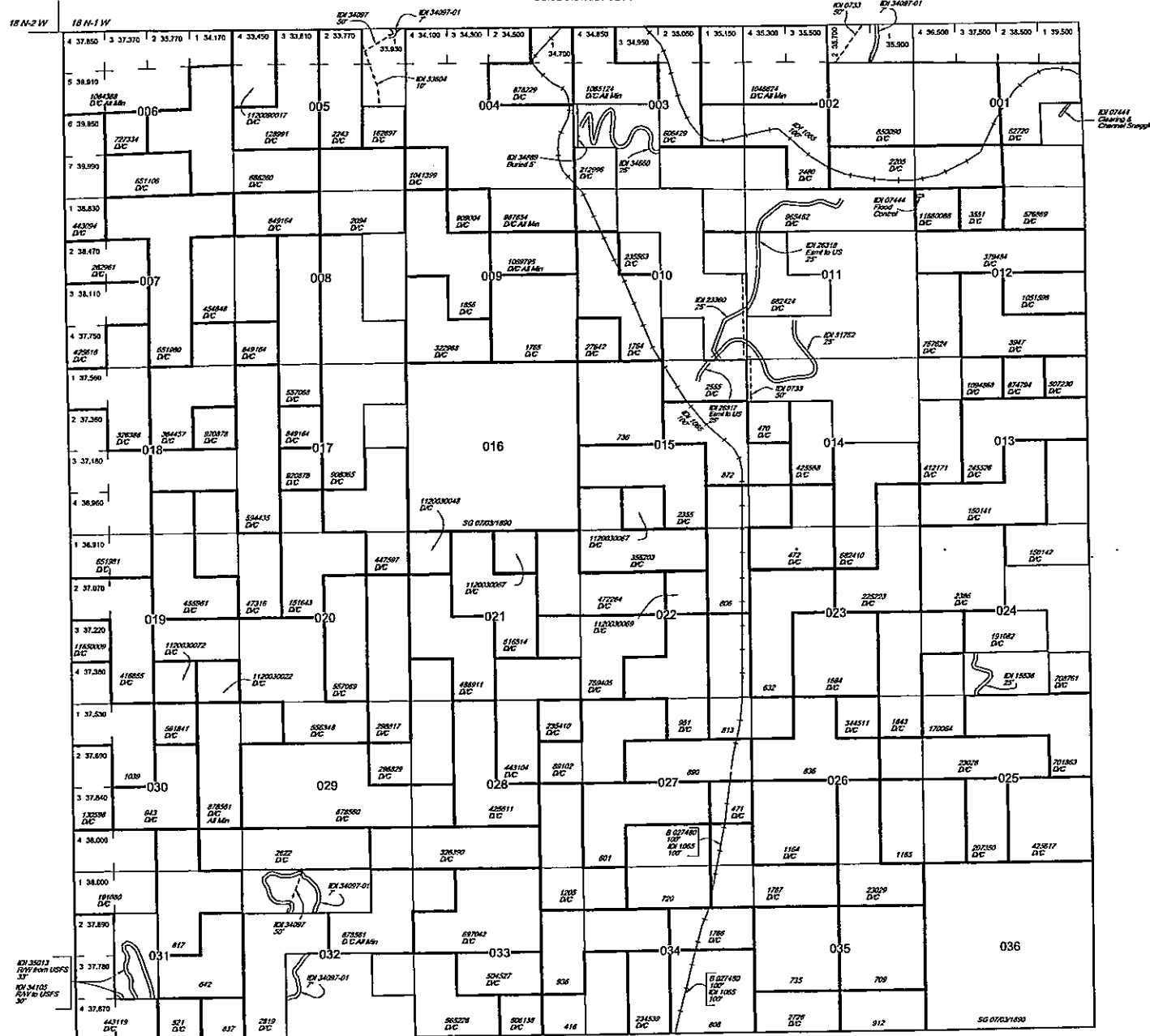
The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the historical index for the date of original withdrawal order.



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



ADAMS COUNTY 003
BOISE DISTRICT SEC 3

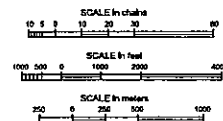
MT PLAT[illegible]

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

FILE REF:	DR083710N020101MAG100000.dwg
CONVERTED TFF:	07/15/2005 BY: LFM
LAST UPDATED:	02/06/2009 BY: LFM
QASC #1:	QASC #2:
POSTED TO PUBLIC RECORDS: February 6, 2009	
BY:	
PUBLIC LAND SURVEY SYSTEM (PLS)	
BLM ACRES ACQUIRED: 04/26/2005	
OTHER: N/A	
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTES:	
USE PLAT:	



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



DISCLAIMER:

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Boise Mer.
T. 17 N
R. 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. All NF surface Mgmt by USFS

DOI 35073, PW Res 107, EO 04/17/1926; Withdraws Public Land containing a spring or waterhole from settlement, location, sale or entry, US vs. Idaho, 131 Idaho 468, 959 P.2d 449 (1998)

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

FILE REF: ID080170X0620WAM100006.swg	
CONVERTED TIFF: 04/08/2005	BY: ST
LAST UPDATED: 09/23/2008	BY: JCR
GWOC #1:	GWOC #2:
POSTED TO PUBLIC RECORDS: September 23, 2008	
BY:	
PUBLIC LAND SURVEY SYSTEM (PLSS)	
BLM GDSR ACQUIRED:	04/08/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983	
NOTES:	
USE PLATS:	

Boke Mer.
T. 17 N
R. 2 W



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SCALE in chains

SCALE in feet

SCALE in meters



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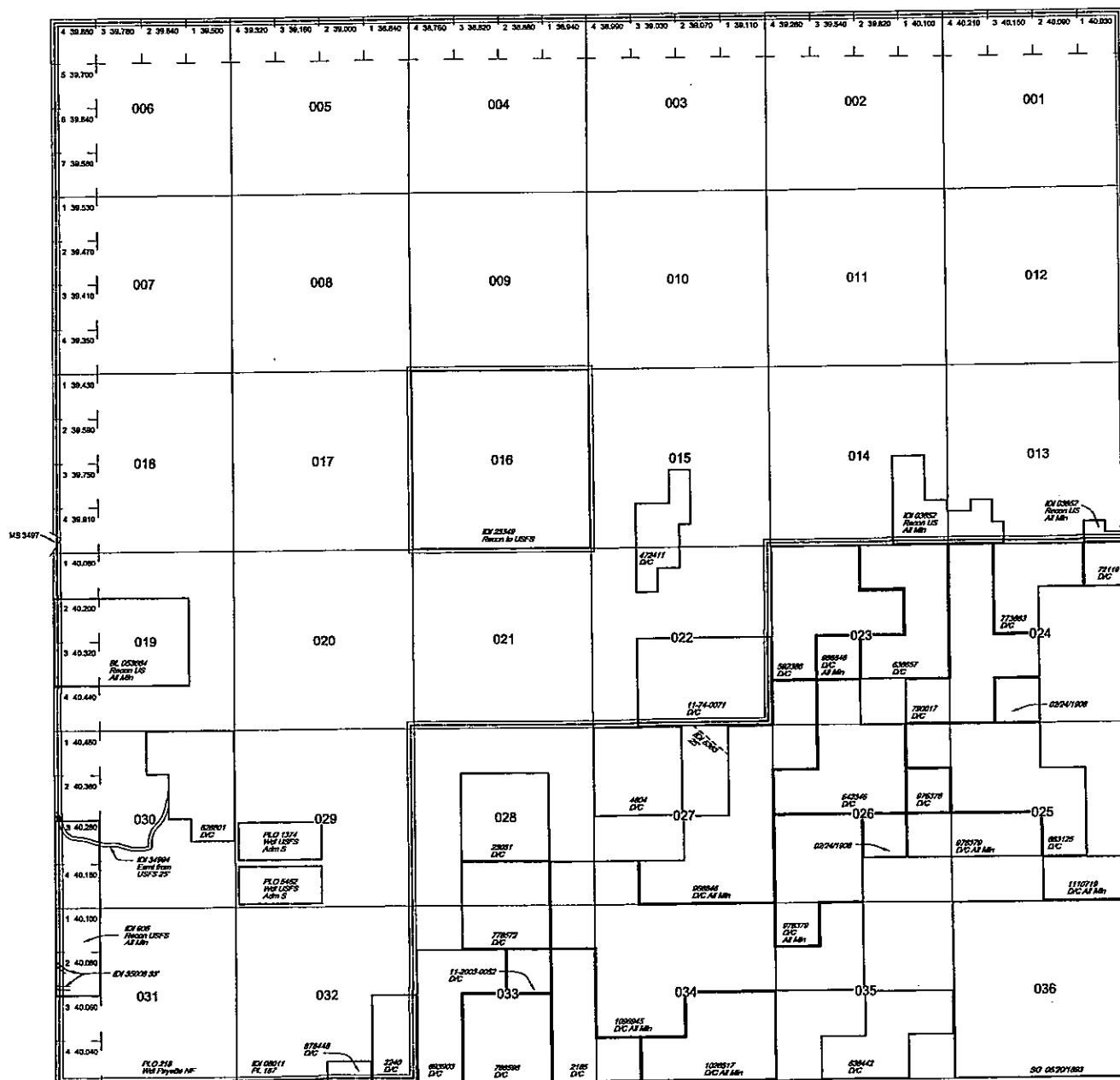
ADAMS COUNTY 003
BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

[illegible]

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



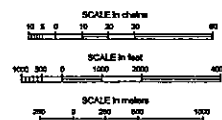
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF:	100801000200WMT0000Ldwg	
CONVERTED TFF:	04/15/2005	BY: BT
LAST UPDATED:	12/18/2008	BY: BT
QWIC #1:		QWIC #2:
PORTED TO PUBLIC RECORDS:		
PUBLIC LAND SURVEY SYSTEM (PLSS)		
BLM ODOM ACQUIRED:	03/10/2005	
USFS OFF ACQUIRED:	N/A	
PROJECTED COORDINATE SYSTEM:		UTM ZONE 11N, NAD 1983
NOTES:		

USE PLATS:



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



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Bolso Mar.
T. 18 N
R. 2 W