

**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 29-07828
(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: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
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: _____

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 checked elements above are incorrect as recommended in the Director's Report. See attached for revised elements.

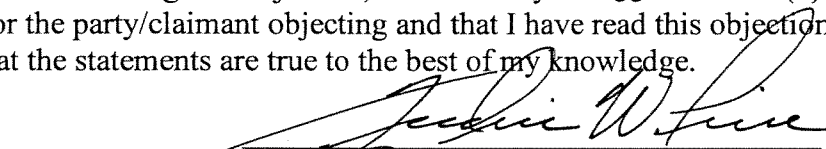
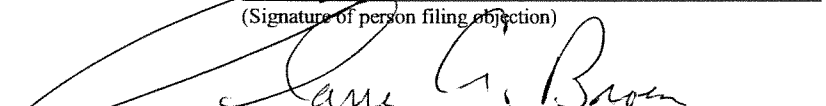
F.

VERIFICATION (Must be Completed)

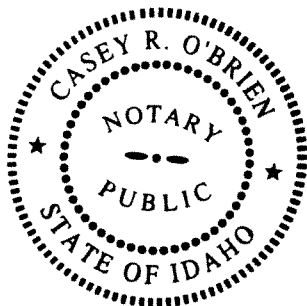
State of Idaho)
) ss.
County of Ada)

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: 11/05/03




Casey R. O'Brien
Notary Public in and for the 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 Nov. 13, 2003, 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:

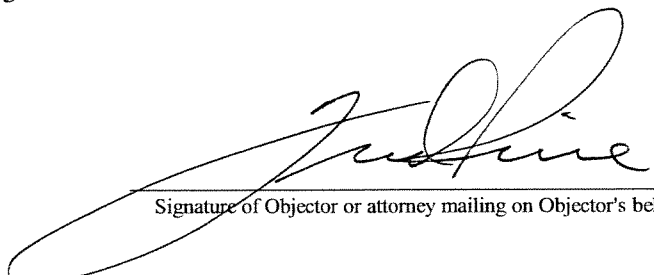
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

07/10/2003

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

RIGHT NUMBER: 29-7828

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WY
BOISE ID 83709-1657

**ISSUE
QUANTITY**

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS
2.50 AFY

THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER
BENEFICIALLY USED BY THE NUMBER OF STOCK WITHIN THE
ALLOTMENT.

PRIORITY DATE: 04/06/1987

QUANTITY ISSUE:
RECOMMENDED QUANTITIES NOT CONSISTANT WITH LICENSE.

POINT OF
DIVERSION: T08S R38E S23 NESWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/15 09/30	0.040 CFS 2.50 AFY
WILDLIFE	01/01 12/31	0.010 CFS 2.50 AFY

PLACE OF USE: STOCKWATER Within BANNOCK County

T08S R38E S23 SWNW

WILDLIFE Within BANNOCK County

T08S R38E S23 SWNW

07/10/2003

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

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

BLM RECORD ID = 2903788085

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

SOURCE IS ALSO KNOWN AS NICHOLSON SPRING.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Nicholson Sp.
Dobu

29-7828

To appropriate the public waters of the State of Idaho

1. Name of applicant USDI, Bureau of Land Management Phone 529-1020

Post office address 940 Lincoln Road Idaho Falls, ID 83401

2. Source of water supply Unnamed spring which is a tributary of sinks

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 8 S

Range 38 E.B.M. Bannock County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.12cfs for livestock purposes from 5/15 to 9/30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01cfs for wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.13 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. headbox and pipe to trough

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 8 S

Range 38 E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 500 range cows

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Wildlife use by deer, grouse and other animals as found in the area.

☐ ☐ ☐ IN THE DISTRICT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN
AND FOR THE COUNTY OF TWIN FALLS
In Re SRBA PPD?: PD?: Adm?: Prob?: ☐

NEXT

AMENDED NOTICE of CLAIM for
Water Right number:

Case No. 39576

2907828 (IDWR number)

NAME and
ADDRESS

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

2903788085

Stg: StFed:

L S

OtherRight and date:

SOURCE:

Source

Tributary

NICHOLSON SPRING

SINKS

QUANTITY:

0.13

CFS

or VOLUME:

1.25

Acre Feet

PRIORITY DATE:

04/06/1987

Diversion Means: HEADBOX, PIPE TO TROUGH

REMARKS:

ASSOCIATED WITH 2903780345

POINT of
DIVERSION:

Township	Range	Section	T1	T2	T3	LOT	B/E	within the	County of
08S	38E	23	NE	SW	NW			5	BANNOCK

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in AcFt
16	0101	1231	0.01	1.25
04	0515	0930	0.12	1.25

CONSUMPTIVE
USE:

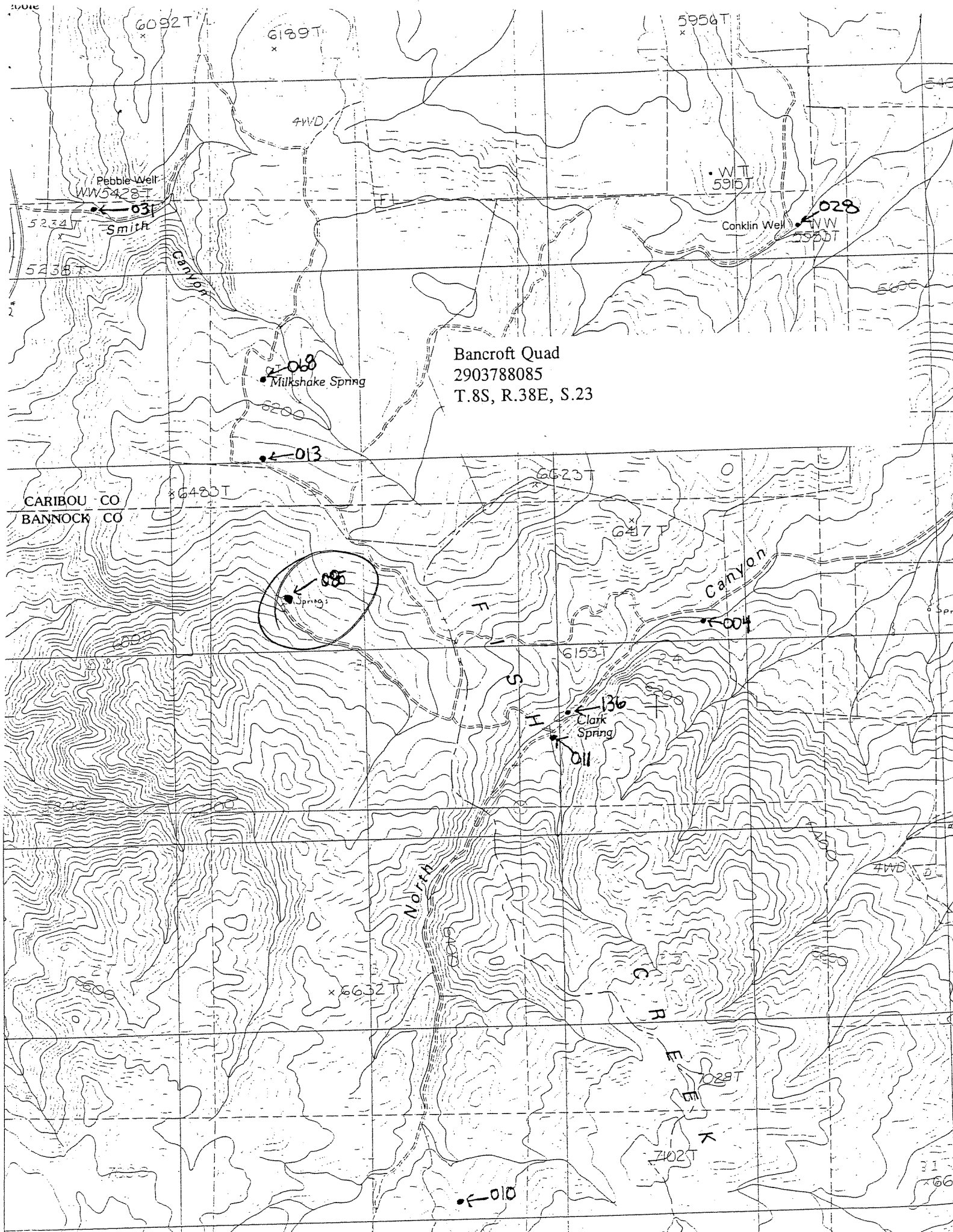
DATE: 08-May-02

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

PLACE
of USE:

Water Use	Twn	Rge	Sec	T1	T2	LOT	within the	County of
04	08S	38E	23	SW	NW	0	5	BANNOCK
16	08S	38E	23	SW	NW	0	5	BANNOCK



Bancroft Quad
2903788085
T.8S, R.38E, S.23

CARIBOU CO
BANNOCK CO

North

Canyon

C
R
E
E
K

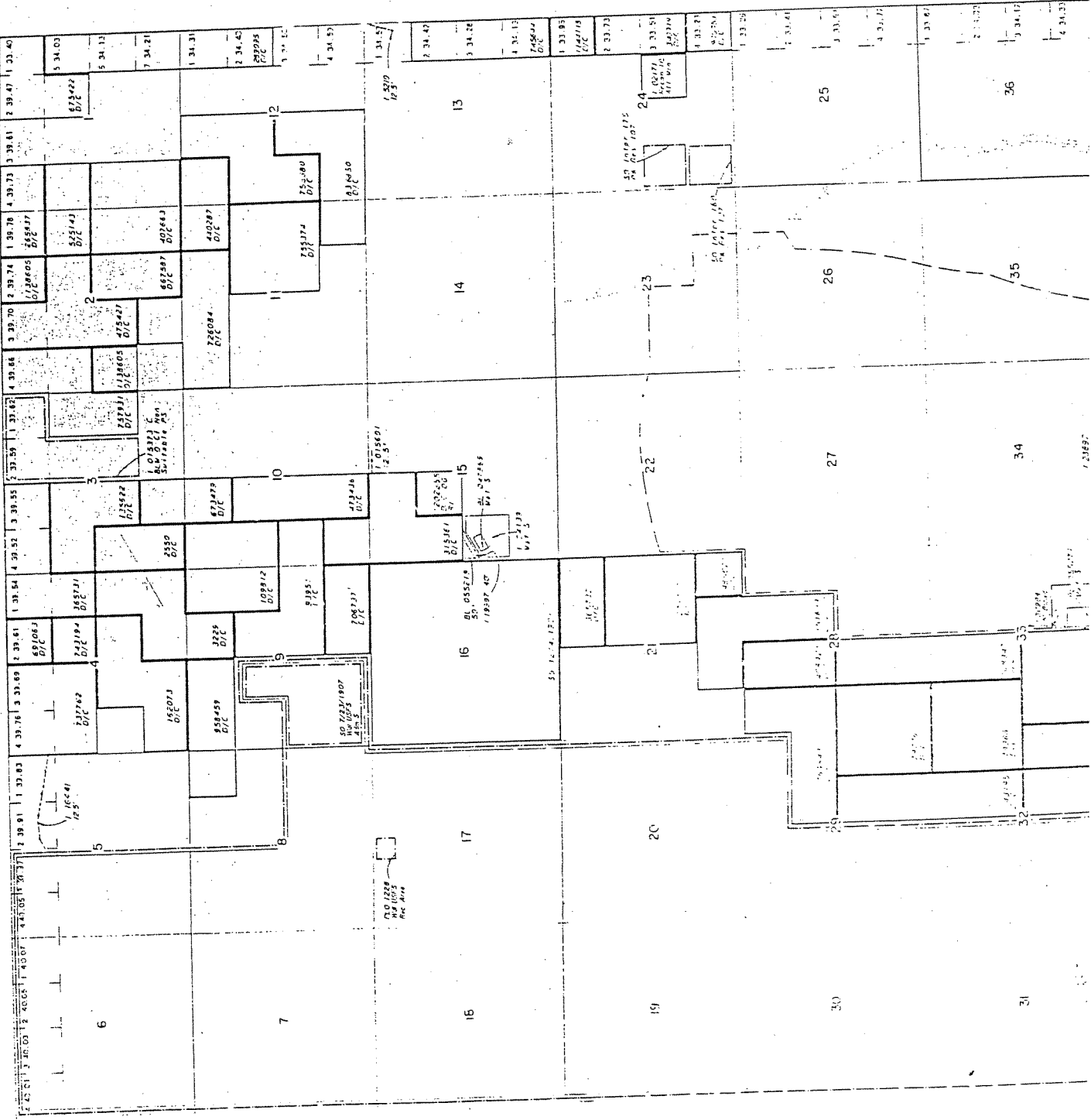
TOWNSHIP 8 SOUTH RANGE 38 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO FALLS DISTRICT

POCATELLO RAH

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT



INDEX TO SEGREGATED TRACTS			
TRACT NO.	ACRES	DATE	REMARKS
1	1.00	1/1/1937	1/1/1937
2	1.00	1/1/1937	1/1/1937
3	1.00	1/1/1937	1/1/1937
4	1.00	1/1/1937	1/1/1937
5	1.00	1/1/1937	1/1/1937
6	1.00	1/1/1937	1/1/1937
7	1.00	1/1/1937	1/1/1937
8	1.00	1/1/1937	1/1/1937
9	1.00	1/1/1937	1/1/1937
10	1.00	1/1/1937	1/1/1937
11	1.00	1/1/1937	1/1/1937
12	1.00	1/1/1937	1/1/1937
13	1.00	1/1/1937	1/1/1937
14	1.00	1/1/1937	1/1/1937
15	1.00	1/1/1937	1/1/1937
16	1.00	1/1/1937	1/1/1937
17	1.00	1/1/1937	1/1/1937
18	1.00	1/1/1937	1/1/1937
19	1.00	1/1/1937	1/1/1937
20	1.00	1/1/1937	1/1/1937
21	1.00	1/1/1937	1/1/1937
22	1.00	1/1/1937	1/1/1937
23	1.00	1/1/1937	1/1/1937
24	1.00	1/1/1937	1/1/1937
25	1.00	1/1/1937	1/1/1937
26	1.00	1/1/1937	1/1/1937
27	1.00	1/1/1937	1/1/1937
28	1.00	1/1/1937	1/1/1937
29	1.00	1/1/1937	1/1/1937
30	1.00	1/1/1937	1/1/1937
31	1.00	1/1/1937	1/1/1937
32	1.00	1/1/1937	1/1/1937
33	1.00	1/1/1937	1/1/1937
34	1.00	1/1/1937	1/1/1937
35	1.00	1/1/1937	1/1/1937
36	1.00	1/1/1937	1/1/1937

1.012104 Del. FL 1467 1467 of (cont. 1/23/1955)
completed 8/23/1951. All AF surface right by USFS

1.19470 Same Act 1/7/1937

SEC. 21.11W/4N/23W/4SW/4SW/4SW/4SW

FOR ORDERING COPIES OF THIS MAP, SEE THE
LAND OFFICE, IDAHO FALLS DISTRICT, N. W. 1/4
SECTION 14, T. 8 S., R. 38 E., B. 1 N.

6.84317

1.01 27.21.5

1.23897

21

WATER RIGHT CLAIM VERIFICATION

STATE OF IDAHO)
) ss:
COUNTY OF ADA)

CLAIMANT VERIFICATION: Signature:

Water Right Claim Number: 29-07828

(a.) By signing below, I acknowledge that I have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I do ___ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

I do solemnly swear or affirm that I am Gary A. Madenford, Water Rights Team Leader
Name & Title
of United States of America, acting through U.S.D.I., BLM, that I have signed the attached documents in the space below as Water Rights Team Leader of United States of
Title
America, acting through U.S.D.I., BLM and that the statements contained in the attached documents are true and correct.

Signature of Authorized Agent

Gary A Madenford

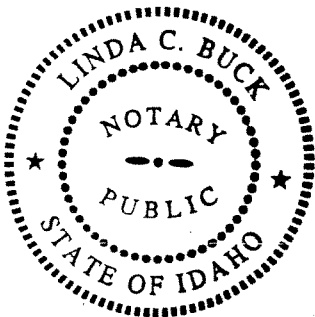
for the United States of America, acting through U.S.D.I., BLM

NOTARY:

Subscribed and sworn to before me on this 22 day of May, 2002

Seal

Linda C. Buck
Linda C. Buck



Notary Public in and for the State of: Idaho

Residing at: Mountain Home, Idaho

My Commission Expires: December 21, 2005