

**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 29-13526

(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: Peter T. Anestos

Address: 9589 W. Pocatello Creek Road; Pocatello, Idaho 83201

Name: Theresa J. Anestos

Address: 9589 W. Pocatello Creek Road; Pocatello, Idaho 83201

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, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized and there is no domestic use taking place at the recommended location. Claimant's water right should not include this POU. Change the POU to S18 instead of S15.

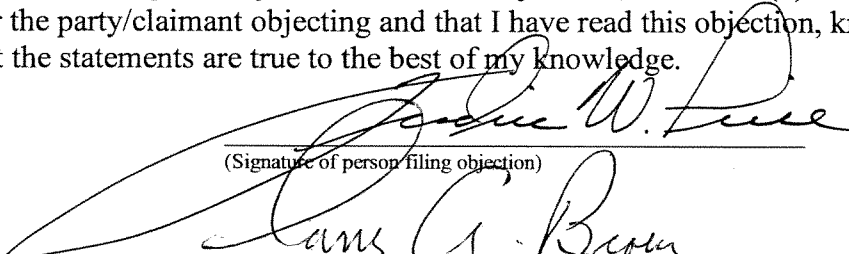
F.

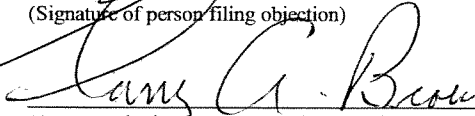
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

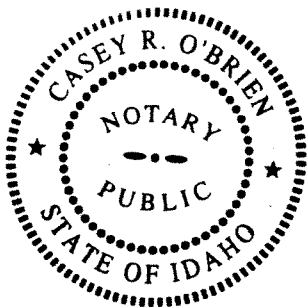
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

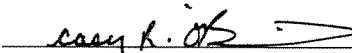
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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:

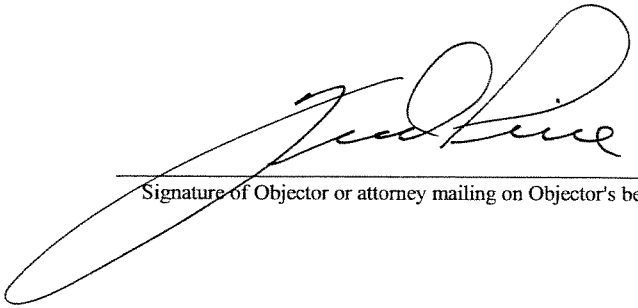
Name: Peter T. Anestos
Address: 9589 W. Pocatello Creek Road; Pocatello, Idaho 83201
Name: Theresa J. Anestos
Address: 9589 W. Pocatello Creek Road; Pocatello, Idaho 83201
Name:
Address: ;
Name:
Address: ;

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: 29-13526

NAME AND ADDRESS: THERESA J ANESTOS
9589 W POCATELLO CREEK RD
POCATELLO ID 83201

PETER T ANESTOS
9589 W POCATELLO CREEK RD
POCATELLO ID 83201

POU ON BLM
UNAUTHORIZED USE

-CLAIMANT IS NOT AUTHORIZED

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1987

POINT OF
DIVERSION: T06S R35E S18 SWSESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within BANNOCK County

T06S R35E S15 SESW **BLM**

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No: R3851009928

POU on BLM

-THE PLACE OF USE LISTED BELOW DESCRIBES FEDERAL PUBLIC LAND.

-REMOVE THE PLACE OF USE.

-THE CLAIMANT IS NOT AUTHORIZED

T06S R35E S15 SESW

29-13526

BLM
DeLata

PNT
ADD
POB

Moonlight Mtn.

Pocahontas North

T06S R35E

652193
D/C

10

540943
D/C

627782
D/C

524106
D/C

267
D/C

531875
D/C

691085
D/C

15

571820
D/C

776715
D/C

861765
D/C

4306
D/C

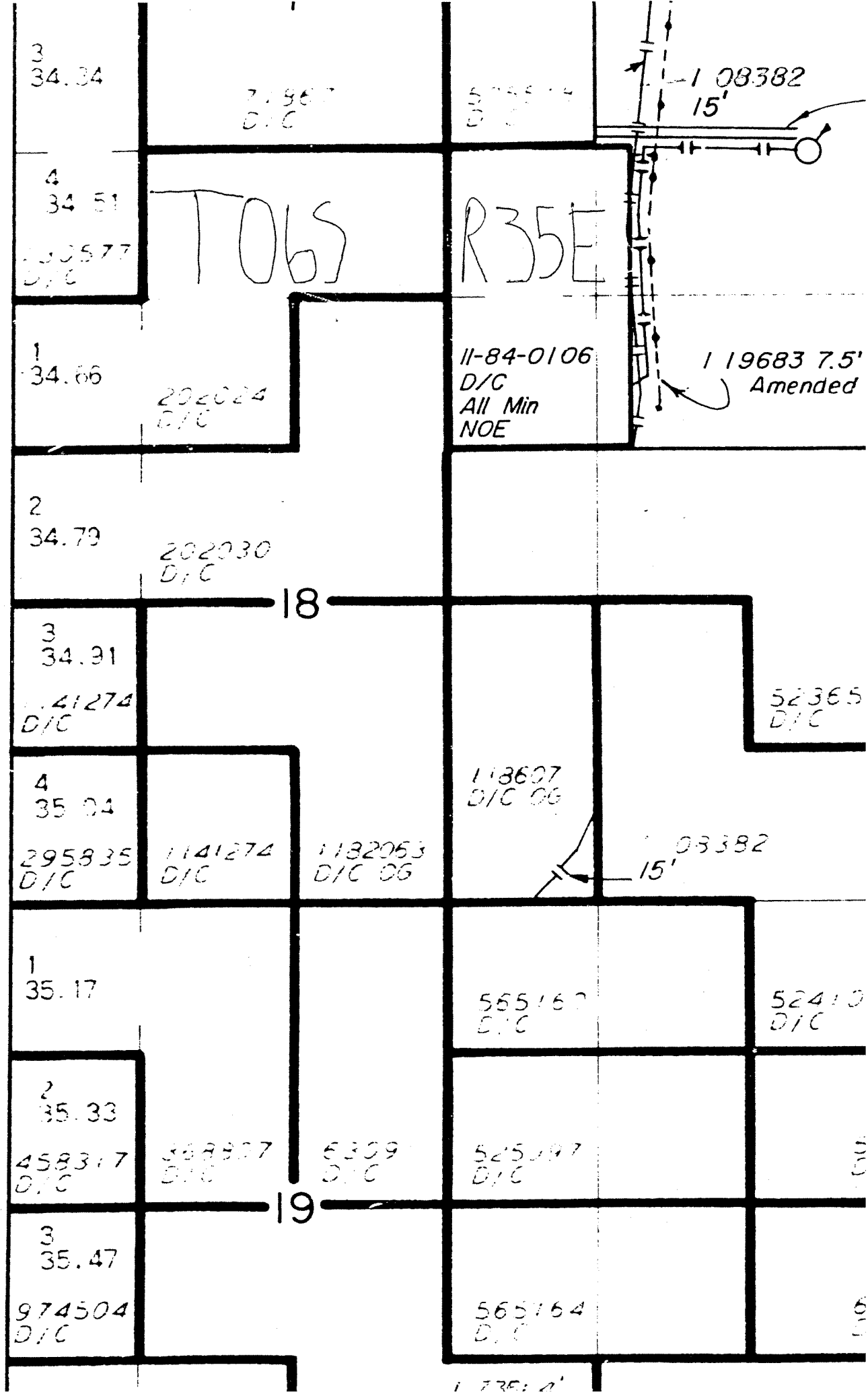
1050935
D/C

T06S R35E

1125765
D/C

773.
D/C

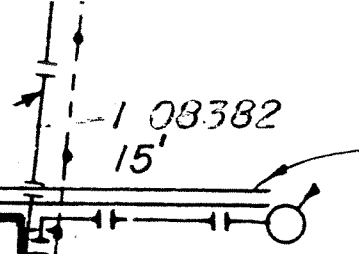
22



3
34.34

21987
D/C

505514
D/C



4
34.51

1130577
D/C

T06S

R35E

1
34.66

202024
D/C

11-84-0106
D/C
All Min
NOE

1 19683 7.5'
Amended

2
34.79

202030
D/C

18

3
34.91

1141274
D/C

52365
D/C

4
35.04

295835
D/C

1141274
D/C

113607
D/C OG

1132063
D/C OG

1 08382
15'

1
35.17

565162
D/C

52410
D/C

2
35.33

458317
D/C

368937
D/C

6309
D/C

525197
D/C

19

3
35.47

974504
D/C

565164
D/C

1 735: 0'