

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: \_63-31031 \_  
STANDARD FORM 1  
OBJECTION  
Amended

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America, Acting through the USDA Forest Service  
Address: 550 West Fort Street  
MSC 033  
Boise, Idaho 83724  
Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri  
550 West Fort Street  
MSC 033  
Boise, Idaho 83724

**C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT**

Name: McGrew Ranch LLC  
Address: Rt 1 Box 463  
Glenns Ferry, ID 83623

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: United States of America  
USDA Forest Service  
550 W. Fort St. MSC033  
Boise, ID 83724

2. ☒ **Source**

Should be: See E below.

3. ☒ **Quantity**

Should be: See E below.

4. ☒ **Priority Date**

Should be: No earlier than date of claimant's first federal grazing permit.

5. ☒ **Point(s) of Diversion**

Should be: See E below.

6. ☒ **Instream Flow Description**

Should be: See E below.

7. ☒ **Purpose(s) of Use**

Should be: See E below.

8. ☒ **Period of Year**

Should be: See E below.

9. ☒ **Places of Use**

Should be: See E below.

11. I object because:



*That portion of the water right on Federal land*  
~~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):**

One point of diversion and place of use recommended in the Directors Report, the NENWNE and NWNE of Section 22, T1N, R10E, respectively, is on National Forest System (NFS) land. That portion of the water right should be in the name of the United States. In the alternative, the United States reserves the right to contest any element of the water right claimed based on discovery and additional information obtained.

**F. VERIFICATION (Must be Completed)**

State of Idaho            )  
                                  ) ss.  
County of Ada            )

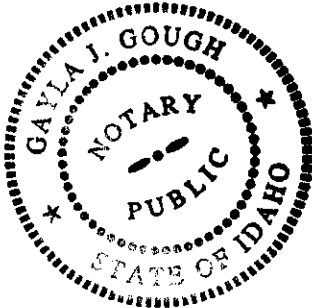
Steven M. Spencer                   , duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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.

Steven M. Spencer  
(Signature of person filing objections)

Daniel Neri  
(Attorney signing in representative capacity)

Subscribed and sworn before me on: April 22, 2004



Gayla J. Gough  
Gayla J. Gough

Notary Public for: Idaho  
Residing at: Kuna, Idaho  
Commission Expires: 11/17/2004

## 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 April 22, 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  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

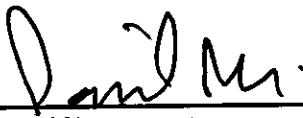
Name: Charles Honsinger, Esq.  
Ringert Clark, Chtd.  
Address: P.O. Box 2773  
Boise, ID 83701

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resource  
Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resources Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf