

**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 23-11299
(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: 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 legal description reported in the Director's Report for this claim is inaccurate. The POU described as SWSE, S30, T02N, R43E should be described as Lot 9 (SWSE).

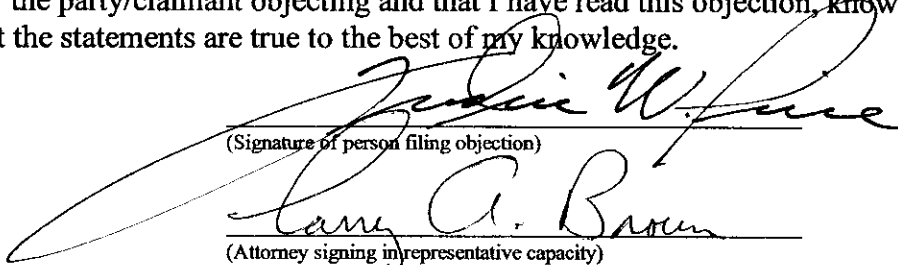
F.

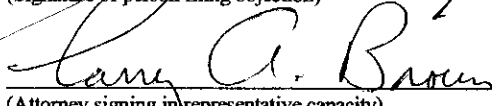
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

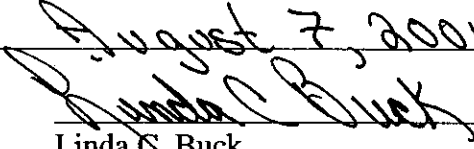
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

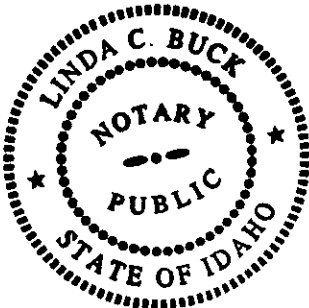

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 7, 2004

Linda C. Buck

Notary Public in and for the State of Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005



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 Aug. 9, 2004, 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:

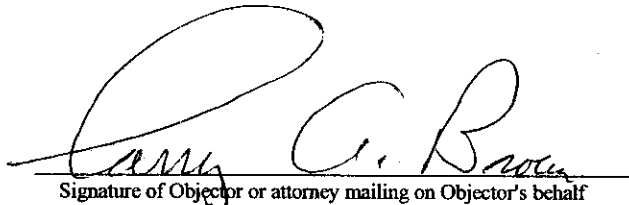
Name: United States of America
Address: 1387 South Vinnell Way; Boise, ID 83709-1657
Name: Bureau of Land Management
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

06/10/2004

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

RIGHT NUMBER: 23-11299

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

POU misdescribed

-T02N R43E S30 SWSE

should be described as:

-T02N R43E S30 Lot 09 (SWSE)

SOURCE: GARDEN CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.120 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.:
23-11291, 23-11295, 23-11297, 23-11299.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.12 CFS. COMBINED RIGHT NOS.:
23-11295, 23-11297, 23-11299.

PRIORITY DATE: 06/30/1898

POINT OF

DIVERSION: T02N R42E S25 NWNESE Within BONNEVILLE County
T02N R42E S25 SENWSE Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.120 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T02N R43E S30 Lot 3 NWSW	1.9	T02N R43E S30 <u>Lot 9 (SWSE)</u>	3.2
T02N R43E S31 Lot 2 SWNW	0.8		

5.9 ACRES TOTAL

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

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-11291, 23-11295,
23-11297, 23-11299, 23-11301.

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.

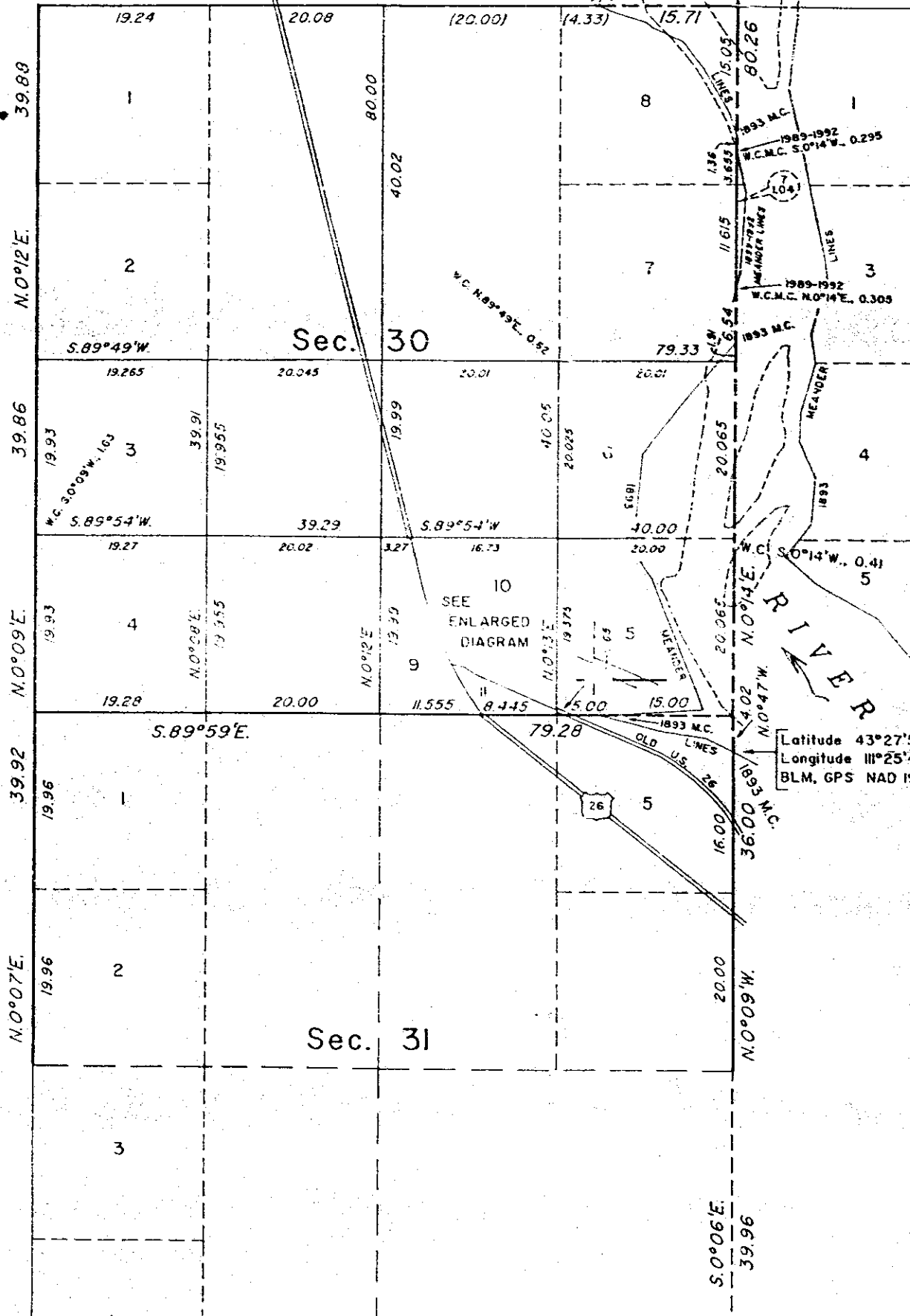
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 23-00049.

Latitude 43°28'49.07" N.
Longitude 111°26'19.01" W.
BLM, GPS NAD 1927

N.89°37'E. 39.32 N.89°37'E. 24.33 N.89°46'E.



Sec. 2

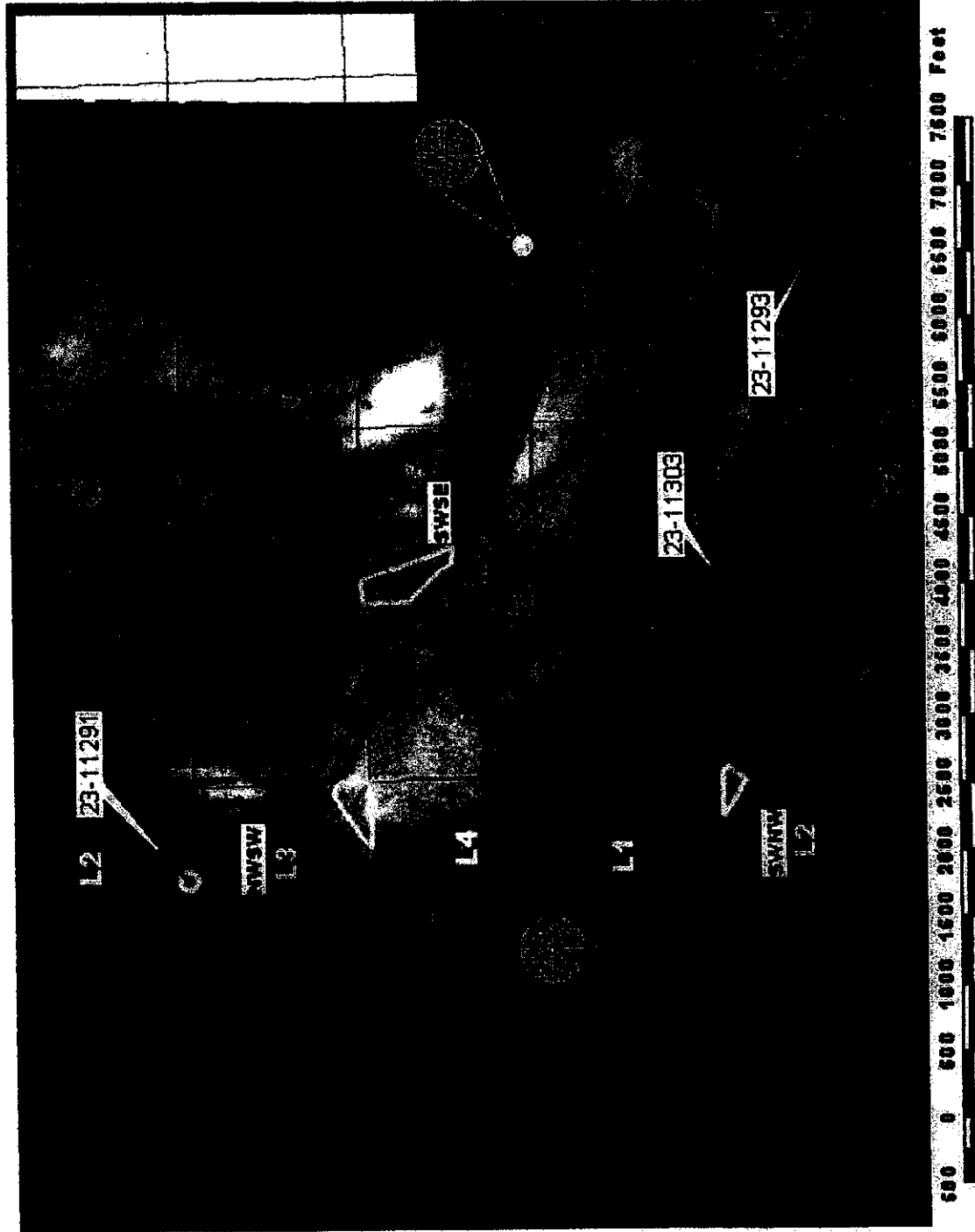
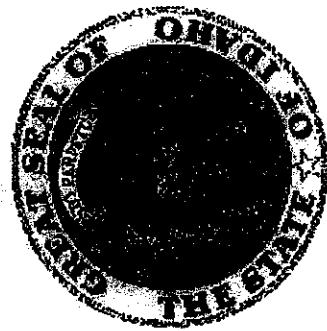
Latitude 43°27'54.31" N.
Longitude 111°25'43.43" W.
BLM, GPS NAD 1927



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

- 23-11291,
- 23-11295,
- 23-11297,
- 23-11299,
- 23-11301

Place of Use: (parts of)

T2N, R43E
Secs. 30, 31

Point(s) of Diversion:

T2N, R43E
Sec. 30 SWSWNW (L2)
T2N, R42E
Sec. 25 SWNWSE, NWNSE

LEGEND

- Point of Diversion
- SESE Place of Use
- Section
- Quarter-Quarter



OIS Place of Use Illustration
1987/1988 NAAPP Photography
Prepared by A. Ruben
Date: February 2004