

**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 23-00008

(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: Dawn S. Blakely

Address: P.O. Box 385; Ririe, ID 83443

Name: La Nona Blakely

Address: P.O. Box 385; Ririe, ID 83443

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 a part of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include a POU within Lot 1 (NWSW), S32, T04N, R41E.

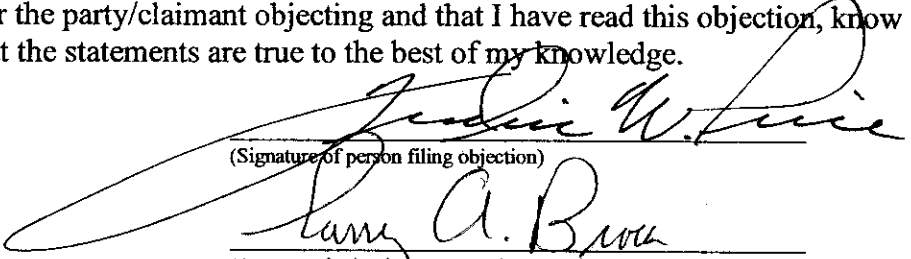
F.

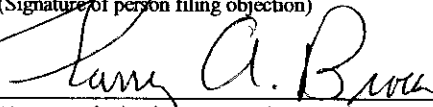
VERIFICATION (Must be Completed)

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)

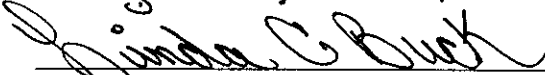
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 7, 2004

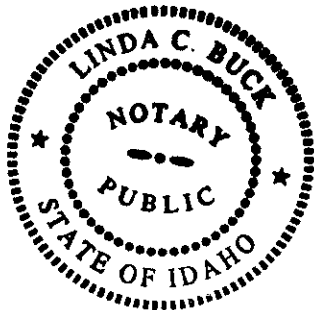


Linda C. Buck

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:

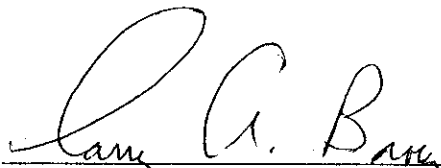
Name: Dawn S. Blakely
Address: P.O. Box 385; Ririe, ID 83443
Name: La Nona Blakely
Address: P.O. Box 385; Ririe, ID 83443
Name:
Address: ;
Name:
Address: ;

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

03/04/2004

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

RIGHT NUMBER: 23-8

NAME AND ADDRESS: DAWN S BLAKELY
PO BOX 385
RIRIE ID 83443

LA NONA BLAKELY
PO BOX 385
RIRIE ID 83443

POU on BLM

-T04N R41E S32 Lot 1 (NWSW)

Unauthorized Use

-Farming is not authorized on Public Lands.

-Remove POU and Discontinue use of Public Land.

SOURCE: KELLY CREEK

TRIBUTARY: SOUTH FORK SNAKE RIVER

QUANTITY: 0.420 CFS

PRIORITY DATE: 10/21/1899

POINT OF
DIVERSION: T04N R41E S32 NESWSW Lot 2 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.420 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R41E S05 Lot 5 NENW 10.0
T04N R41E S32 Lot 2 SWSW 9.5

T04N R41E S32 Lot 1 NWSW 1.6 **BLM**

21.1 ACRES TOTAL

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.

FORFEITED/ABANDONED DUE TO NON-USE FROM 1980 TO PRESENT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

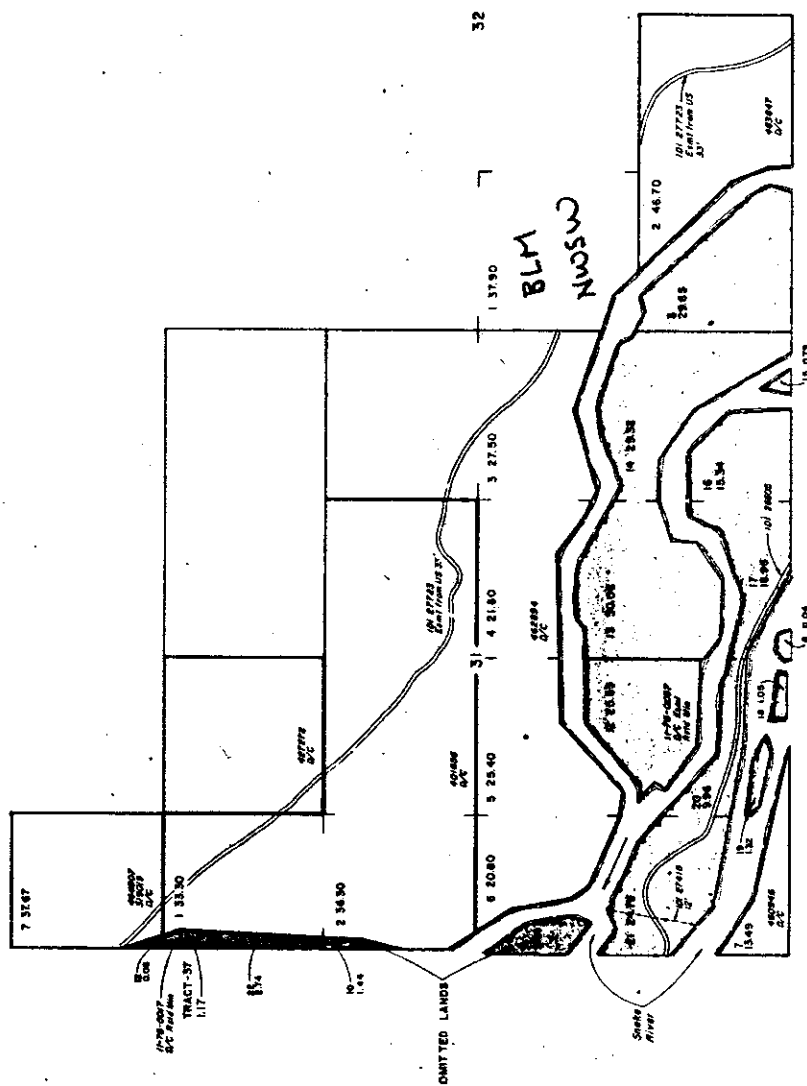
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

PORTION OF RIGHT FORFEITED/ABANDONED.

JEFFERSON COUNTY OSI
IDAHO FALLS DISTRICT SEC 15

No 1
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL Sec 31, Sec 30
SW+SW+, Sec 32 Lots 1,2,3**

[illegible]

SCALE IN CHAINS

WARNING STATEMENT

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by lateral movements in rivers or other bodies of water. Refer to the cadastre's surveys for official survey 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 THE ORIGINAL WITHDRAWAL ORDER.

T. 4 N.
 R. 4 E.
 No 1

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

CURRENT TO	CURRENT TO

USE PLATE:

**STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES**

IDAMQ FALLS DISTRICT SEC 15

MT PLAT

[illegible]

0:2694 Det PL 147 (Act of Cong 7/23/1955)
Completed 4/3/1962. All NF surface Mgmt by USFS.

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TOP ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

SEP 20 1964	CURRENT TO

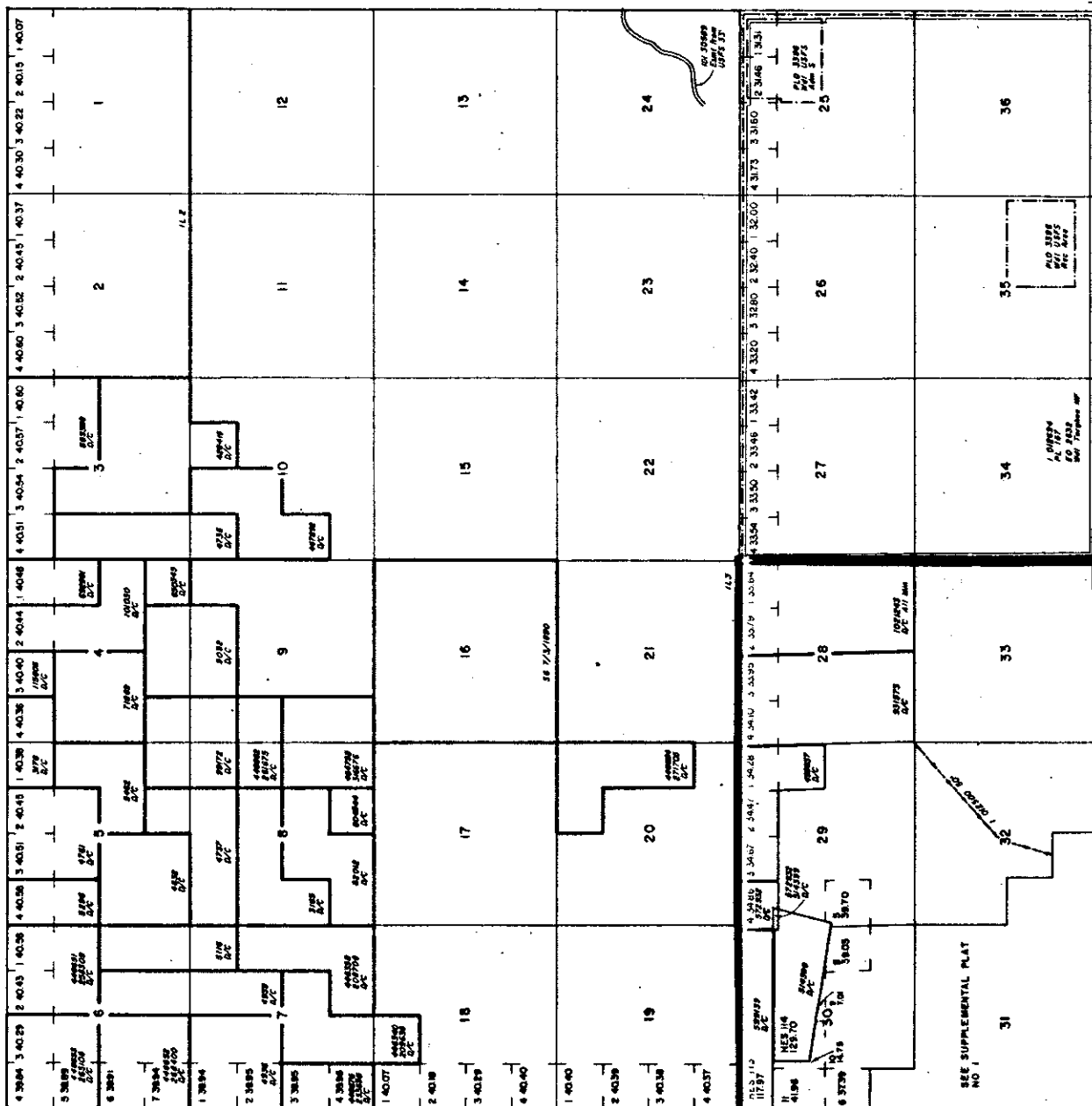
THE PLATE:

Lat. 43° 38' 40" N
Long. 111° 50' 11" W

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 THE ORIGINAL WITHDRAWAL ORDER

WAGNER PATENT

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JEFFERSON COUNTY 051 MADISON COUNTY 065

SCALE IN CHINESE

100

23-00008

Dawn S & La Nona Blakely

T4N R41E S32 NWSW Lot 1 (POU) 1.6 acres

GPSed Road and digitized unauthorized agricultural use



LOT 1
NWSW

Road ↓

BLM

Field

Field

Legend

-  survey_line
-  23-00008
-  B.L.M.
-  Bureau of Indian Affairs
-  Department of Energy
-  Forest Service
-  Military Reservations
-  National Parks & Monuments
-  Open water
-  Private
-  State of Idaho
-  U.S. Fish & Wildlife Service

0 0.02 0.04 0.08 Miles

1:2,036

DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection: Universal Transverse Mercator
Zone 12, 1983 North American Datum
No warranty is made by the Bureau of Land Management
as to the accuracy, reliability, or completeness of data
for individual or aggregate use with other data.
Prepared by Wendy Vein as 7/2/2004 from digitized data.



State of Idaho

Department of Water Resources

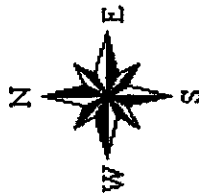
Eastern Region



Water Right(s):
23-00008

Place of Use: (parts of)
T3N, R41E Sec. 5 NENW (L5),
T4N, R41E Sec. 32 SWSW (L2),
NWSW (L1)

Point(s) of Diversion: T4N, R41E
Sec. 32 NESWSW (L2)



LEGEND

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

GIS Maps of Use Illustration
1987/1988 NAAPP Photography
Prepared by: A. Rubenry
Date: November 2003

