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OCT 16 2002

Department of Water Resources

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 37-07504

(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: Jerry R Nance

Address: 814 Hwy 24; Dietrich, ID 83324

Name: Patty Nance

Address: 814 Hwy 24; Dietrich, ID 83324

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 for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

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)

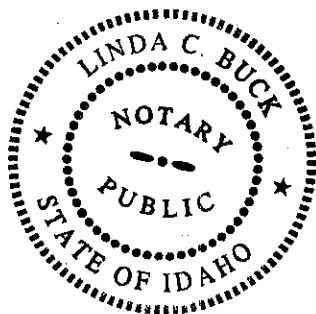
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

October 10, 2002
Linda C. Buck



Linda C. Buck

Notary Public for 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 10-11, 2002, 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:

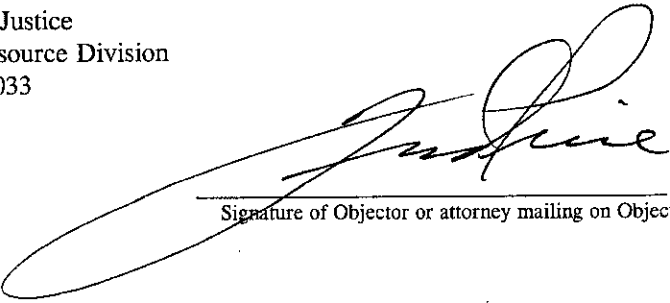
Name: Jerry R Nance
Address: 814 Hwy 24; Dietrich, ID 83324
Name: Patty Nance
Address: 814 Hwy 24; Dietrich, ID 83324
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

08/05/2002

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

RIGHT NUMBER: 37-7504
NAME AND ADDRESS: JERRY R NANCE
814 HWY 24
DIETRICH ID 83324
PATTY NANCE
814 HWY 24
DIETRICH ID 83324

-MIXED POU

**-THE PLACE OF USE IDENTIFIED BELOW
CONTAINS BOTH PRIVATE AND PUBLIC LANDS.
-CLARIFY THE POU SUCH THAT IT IS CLEAR
THAT ONLY PRIVATE LAND IS INTENDED.**

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.300 CFS
718.70 AFY

PRIORITY DATE: 07/22/1976

POINT OF
DIVERSION: T06S R19E S18 SESENW Lot 5 Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.180 CFS 712.00 AFY
STOCKWATER	01/01 12/31	0.120 CFS 6.70 AFY

PLACE OF USE: IRRIGATION Within LINCOLN County

T06S R19E S18	NWNE ✓	11.0	T06S R19E S18	SWNE ✓	39.0
T06S R19E S18 Lot 1	NENW ✓	22.0	T06S R19E S18 Lot 2	NWNW ✓	22.0
T06S R19E S18 Lot 5	SWNW ✓	24.0	T06S R19E S18 Lot 6	SENW ✓	37.0
T06S R19E S18 Lot 7	NESW ✓	33.0			

STOCKWATER Within LINCOLN County

T06S R19E S18 lot 1 (NENW) ✓ 32.0

178 ACRES TOTAL

THE POU's BELOW REPRESENTS MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER PLACE OF USE WOULD RESOLVE BLM'S OBJECTION TO THESE MIXED POU's;

"THE USE OF WATER WITHIN LOT 1 (NENW) and LOT 2 (NWNW), S18, T06S, R19E IS LIMITED TO THE SOUTH SIDE OF THE RAILROAD TRACKS."; or by saying,

"THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LAND."

THE OBJECTION ALSO SEEKS TO PROPERLY DESCRIBE THE POU LISTED UNDER STOCKWATER TO INCLUDE A "LOT" DESCRIPTION:

T06S R19E S18 LOT 1 (NENW)

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

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 - License

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLESLINCOLN COUNTY 063
WILSON DISTRICT SEC 2

MT PLAT

[illegible]

Sec 15: 12527, SWS 247, 9-10-1974
 Sec 15: 12527, H2SE is ruins lying north of
 State Highway 24 (4/4/73)
 Sec 21: NE1E
 Sec 22: S2SW, NWSE, NWNE
 Sec 24: L2NW, SE1/4
 Sec 33: W2SE
 Sec 34: W2F2SE

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

USE PLATS

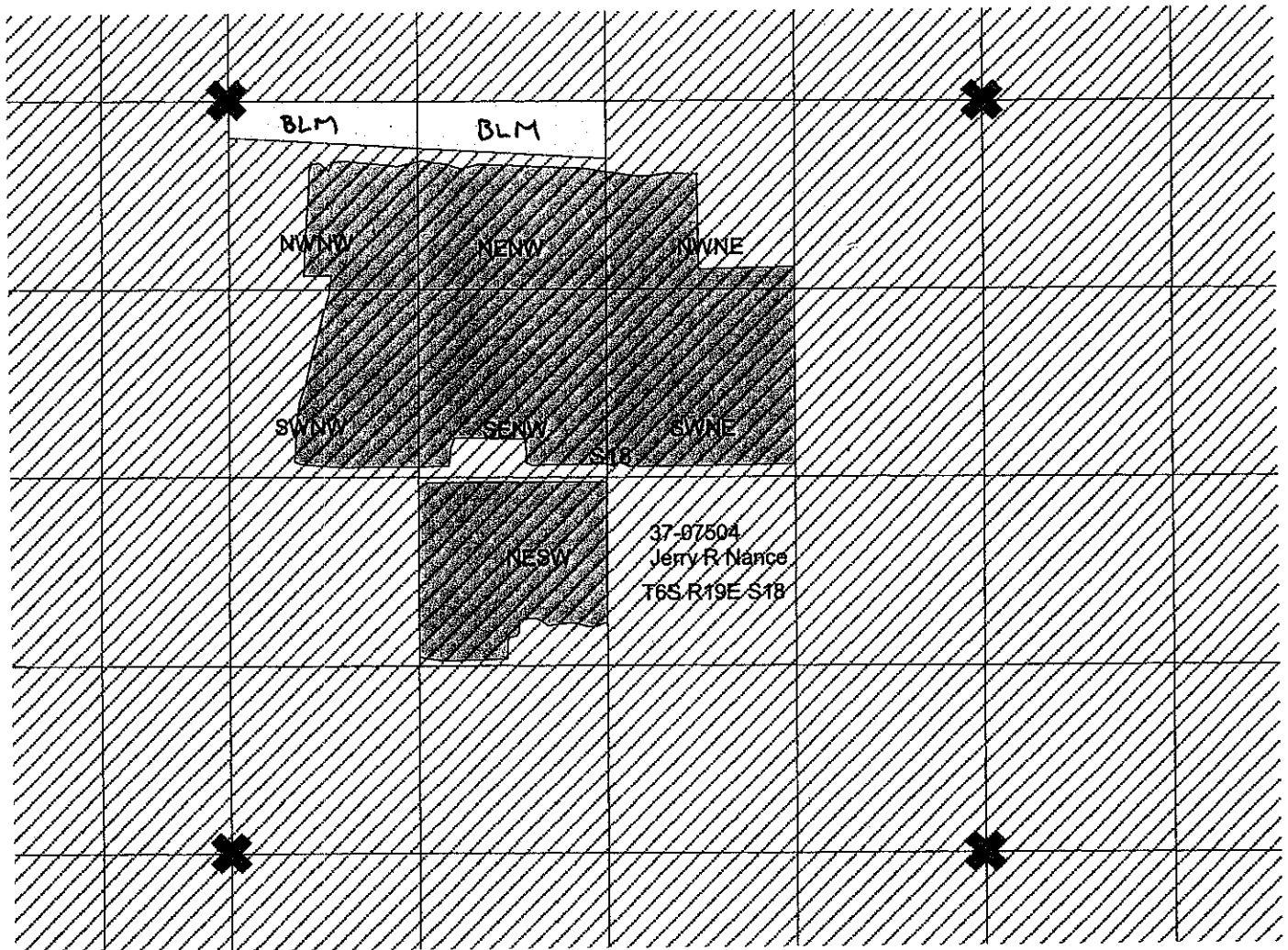
CURRENT TO

CURRENT TO

$$11 = 61.13 - 25.497$$

2000

37-07504



Twnfalmrg.shp

