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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 37-07942

(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: Donald T Bray

Address: PO Box 156; Bliss, ID 83314

Name: Lye Lake Ranch

Address: PO Box 156; Bliss, ID 83314

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. See attached POU. Claimant's water right should not include this POU.

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)

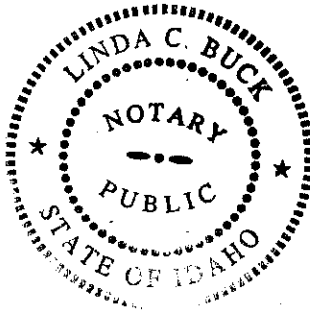
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price  
(Signature of person filing objection)

Cam C. 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:

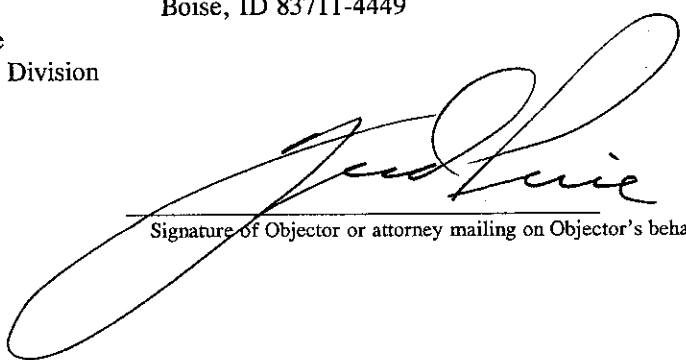
Name: Donald T Bray  
Address: PO Box 156; Bliss, ID 83314  
Name: Lye Lake Ranch  
Address: PO Box 156; Bliss, ID 83314  
Name:  
Address: ;  
Name:  
Address: ;

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: 37-7942  
NAME AND ADDRESS: DONALD T BRAY  
PO BOX 156  
BLISS ID 83314  
LYE LAKE RANCH  
PO BOX 156  
BLISS ID 83314

**-UNAUTHORIZED USE**

**-CLAIMANT IS NOT AUTHORIZED  
TO FARM PUBLIC LANDS.  
-REMOVE THIS POU FROM THE CLAIM**

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.110 CFS  
588.80 AFY

PRIORITY DATE: 09/22/1981

POINT OF  
DIVERSION: T04S R13E S28 SWSNW Within GOODING CountyPURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 03/15 11/15          | 1.110 CFS<br>588.00 AFY |
| STOCKWATER            | 01/01 12/31          | 0.060 CFS<br>0.20 AFY   |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS<br>0.60 AFY   |

PLACE OF USE: IRRIGATION Within GOODING County

|               |        |      |               |        |      |
|---------------|--------|------|---------------|--------|------|
| T04S R13E S28 | NWNE ✓ | 1.0  | T04S R13E S28 | SWNE ✓ | 2.0  |
| T04S R13E S28 | SWNW ✓ | 7.0  | T04S R13E S28 | SENE ✓ | 16.0 |
| T04S R13E S28 | NWSW ✓ | 1.0  | T04S R13E S28 | SWSW ✓ | 24.0 |
| T04S R13E S29 | SESE ✓ | 5.0  | T04S R13E S32 | NENE ✓ | 40.0 |
| T04S R13E S32 | NWNE ✓ | 4.0  | T04S R13E S32 | SENE ✓ | 13.0 |
| T04S R13E S33 | NWNW ✓ | 28.0 | T04S R13E S33 | SWNW ✓ | 6.0  |

STOCKWATER Within GOODING County

T04S R13E S28 SENW ✓

DOMESTIC Within GOODING County

T04S R13E S28 SENW ✓

147 ACRES TOTAL

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

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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

Use of water for domestic purposes under this right is limited to a total annual diversion volume of 0.6 af.

Use of water for stockwater purposes under this right is limited to a total annual diversion volume of 0.2 af.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM CLOVER CREEK AND SPRINGS.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

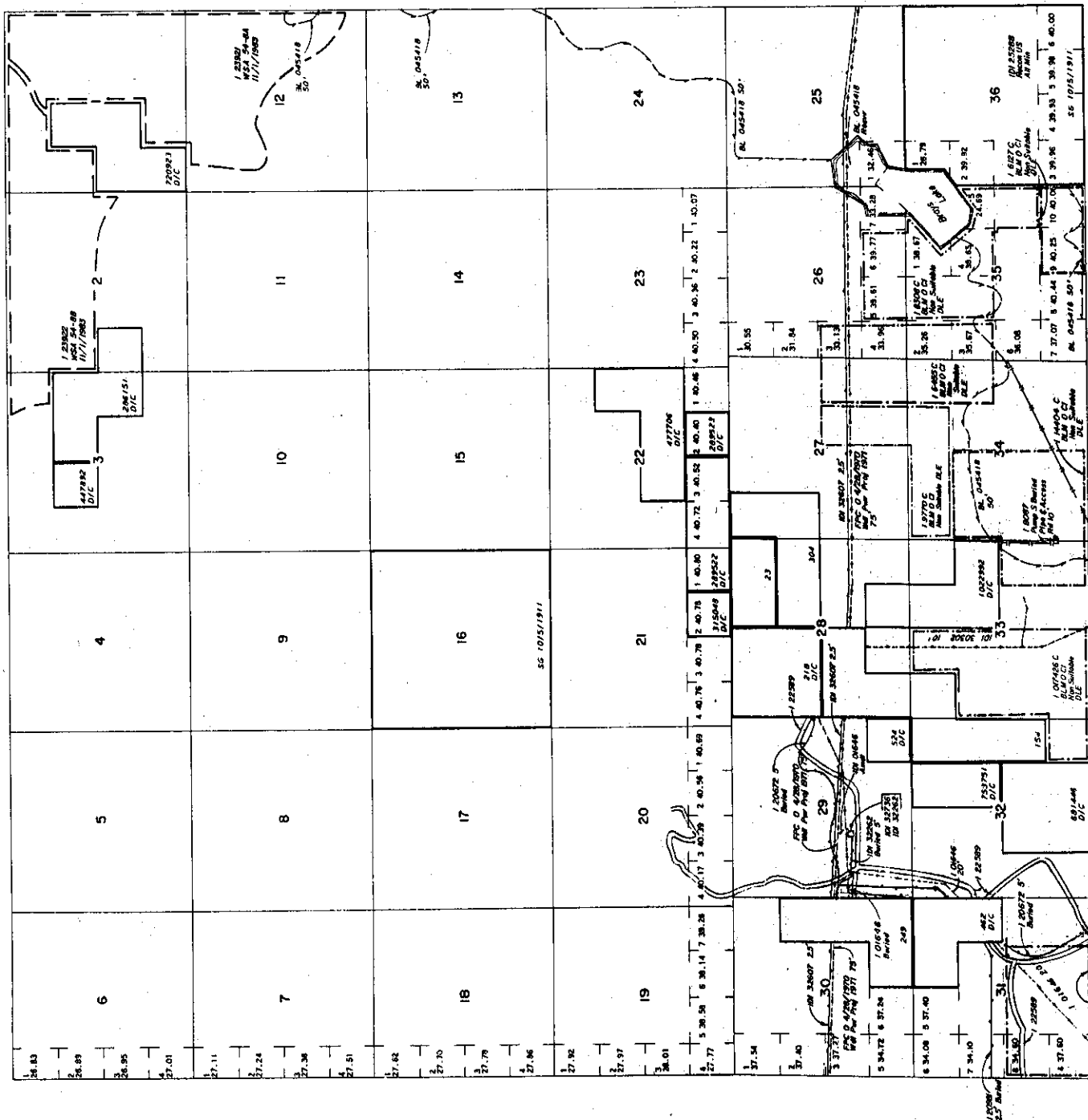
This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 588 af at the field headgate for the lands above.

GOODING COUNTY 047  
SHOSHONE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

# MT PLAT

[illegible]

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

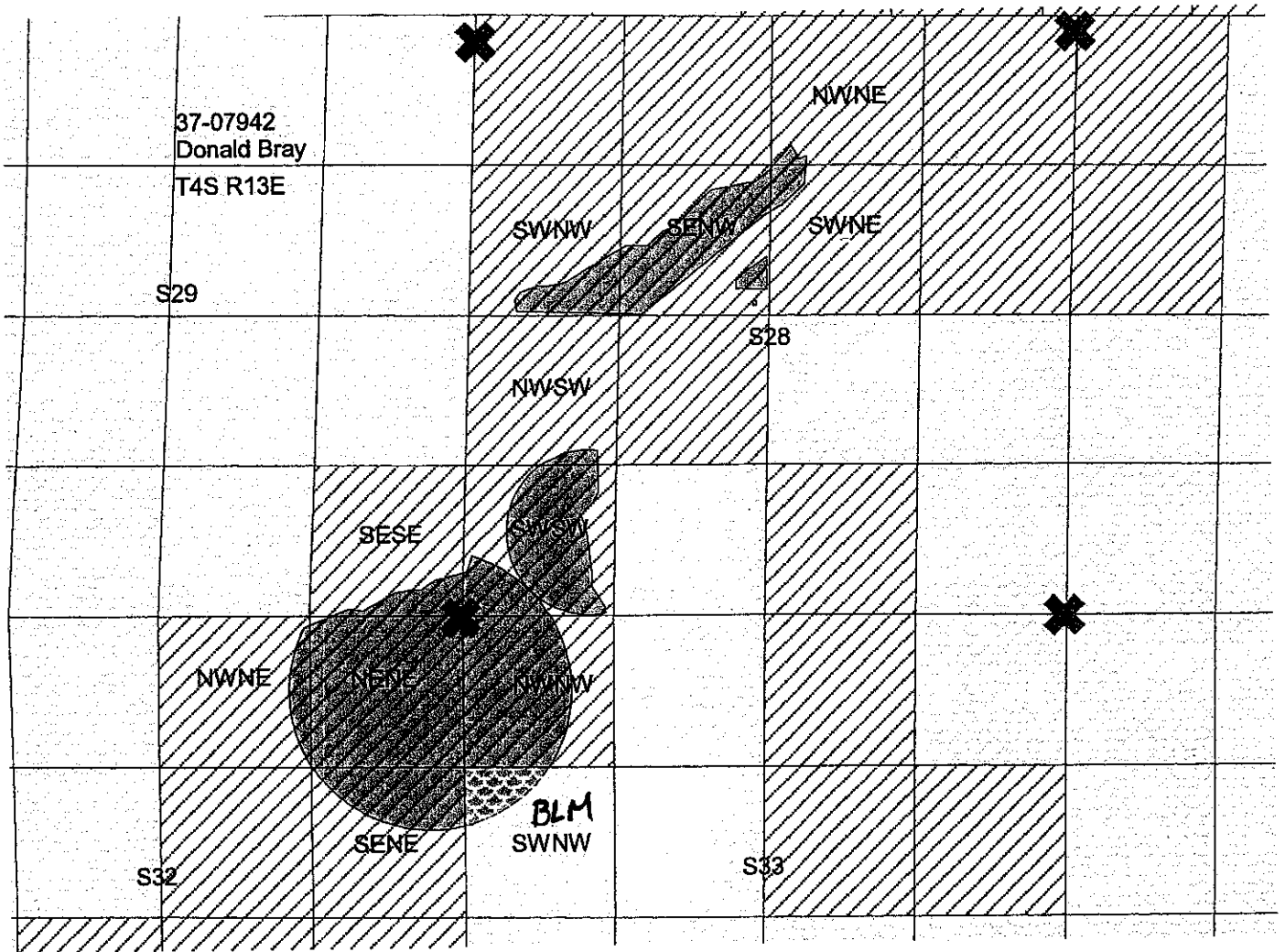
|  |            |            |
|--|------------|------------|
|  | CURRENT TO | CURRENT TO |
|  | FEB 2 1940 |            |
|  |            |            |
|  |            |            |
|  |            | USE PLATS. |

Lat. 43° 02.0' N  
Long. 114° 51.0' W

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THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

**37-07942**



# Fairmerge.shp

- 
-  **BLM**  
 **PRIVATE**  
 **STATE**  
 **STATEFG**  
 **STATEPR**  
 **USFS**  
 **WATER**  
 **B37 Irrigation Use**

