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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 45-00138  
(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: Shoulder 3 Ranches, Inc.  
Address: P.O. Box 218; Oakley, ID. 83346  
Name: \_\_\_\_\_  
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 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.

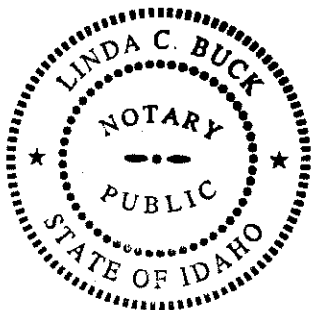
*Fredric W. Price*  
(Signature of person filing objection)

*Larry A. Brown*  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

12/30/04

*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 Jan 5, 200~~4~~<sup>5</sup>, 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:

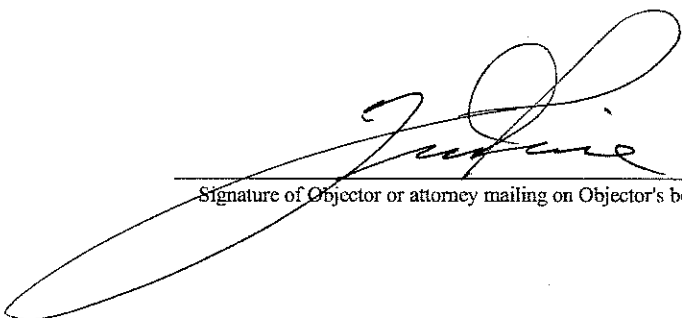
Name: Shoulder 3 Ranches, Inc.  
Address: P.O. Box 218; Oakley, ID. 83346  
Name:  
Address: ;  
Name:  
Address: ;  
Name:  
Address: ;

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

08/24/2004

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

RIGHT NUMBER: 45-138  
NAME AND ADDRESS: SHOULDER 3 RANCHES INC  
PO BOX 218  
OAKLEY ID 83346  
SOURCE: TRAPPER CREEK  
QUANTITY: 0.800 CFS  
PRIORITY DATE: 05/31/1883  
POINT OF DIVERSION: T14S R21E S34 SESWNW Within CASSIA County PVT

Unauthorized Use

- POU on BLM
- Claimant is not authorized to farm public lands.
- Remove public land from claim.

TRIBUTARY: GOOSE CREEK

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.8 CFS. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                  | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                             | 04/01 07/01          | 0.800 CFS       |
| THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT. |                      |                 |

PLACE OF USE:

IRRIGATION Within CASSIA County

|               |      |          |               |      |          |
|---------------|------|----------|---------------|------|----------|
| T14S R21E S26 | SWSW | 27.9 PVT | T14S R21E S27 | SESE | 7.6 PVT  |
| T14S R21E S34 | NENE | 21.2 PVT | T14S R21E S34 | NWNE | 12.1 PVT |
| T14S R21E S34 | SWNE | 9.7 PVT  | T14S R21E S34 | SENW | 0.6 PVT  |
| T14S R21E S35 | NWNW | 1.2 BLM  |               |      |          |

80.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 45-137 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69.6 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-137, 45-138, & 45-13488.

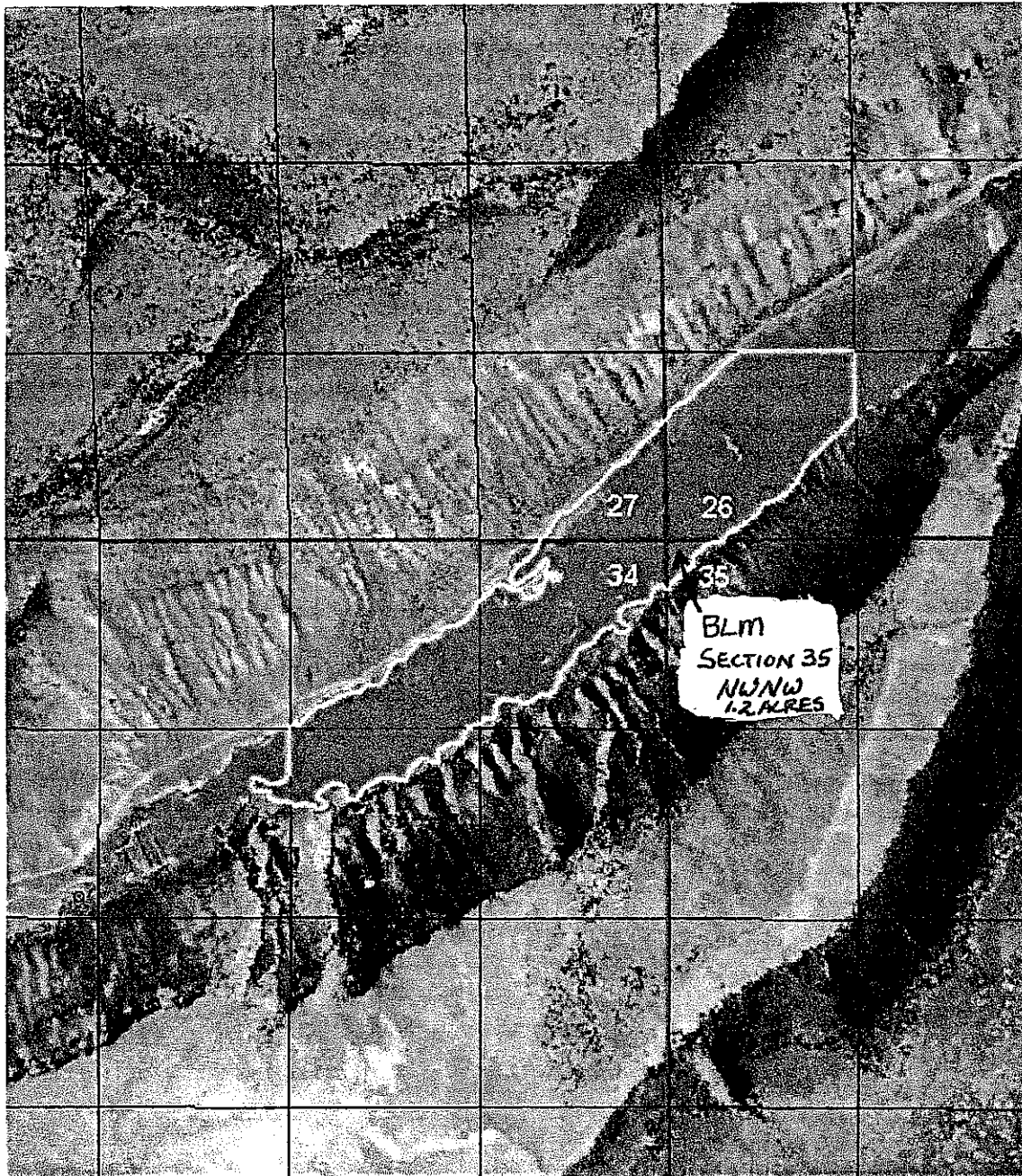
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

## Idaho Department of Water Resources

45-137, 45-138, &amp; 45-13488



0 1320 2640 Feet

RECOMMENDED PLACE OF USE  
 DATA ENTRY ON SEPT. 30, 2002  
 TWP 14S, RNG 21E, SEC. 26, 27, 34, & 35



o Point of diversion  
 — Place of use  
 — Quarter section line

Gis Place of Use Presentati

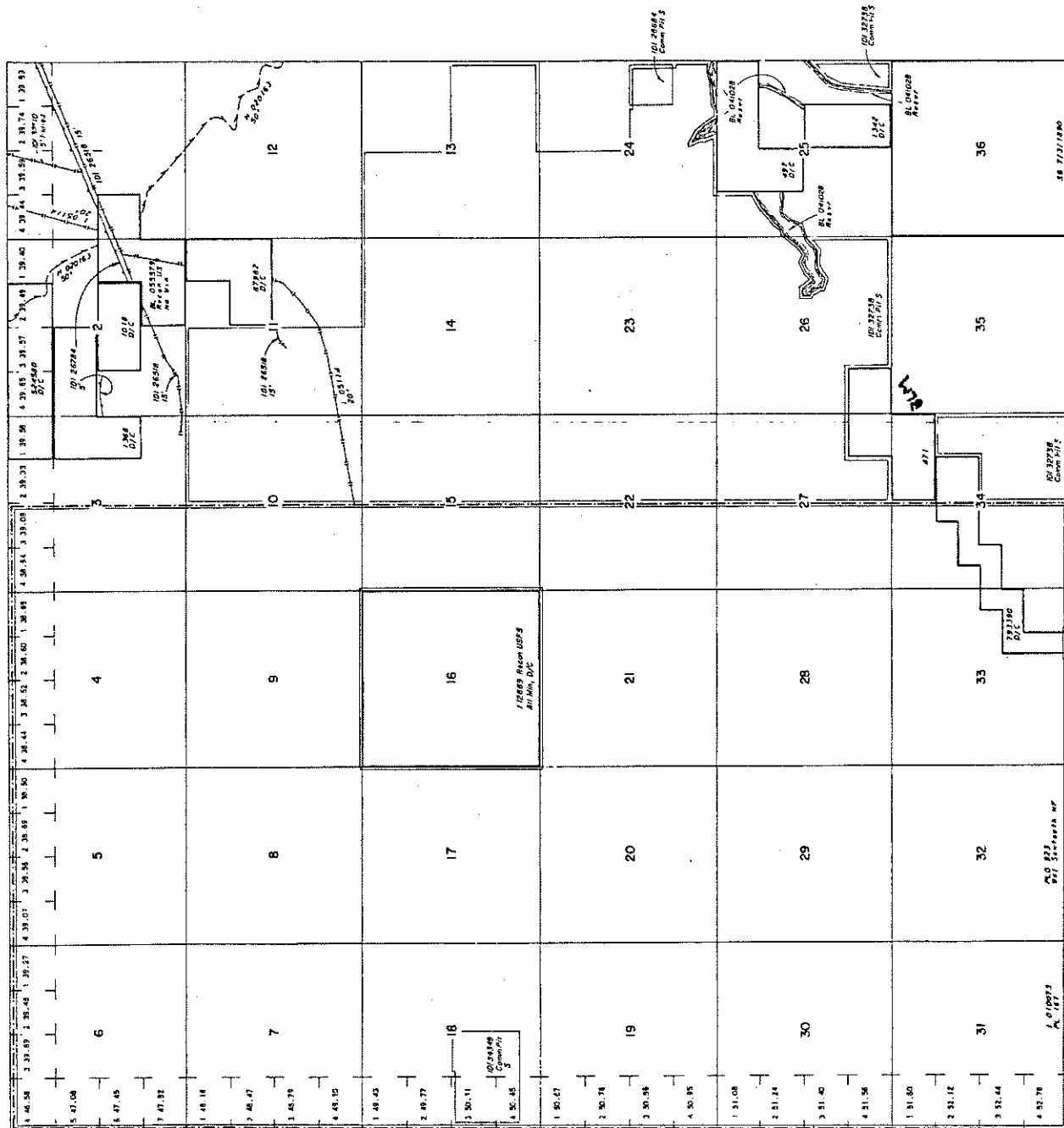
CASSIA COUNTY 031  
BURLEY DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MT PLAT

[illegible]

11010073 Del PL 167 (Act of Cong 7/23/1955)  
All NE surface mgmt by USFS  
7/12/1962



SCALE in Chinese

**WARNING STATEMENT:**

**WARNING (STATISTICAL)**

This plot is the Bureau's Interpret of Tittle, and should be used only as a graphic display of the township survey data. Regressions shown herein do not reflect title changes, which may have been effected by lateral movements of fill or other bodies of water.

**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**

Boine Mer  
T. 145  
R. 21E

**USE PLATS:**

| CURRENT TO | CURRENT TO |
|------------|------------|
| 1.4        |            |

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