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MAR 25 2005

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 82-02017
(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: Delores M. Saunders
Address: 702 Maple St.; Grangeville, Idaho 83530
Name: Robert L. Tucker
Address: P.O. Box 88; Sutton, AK. 99674
Name: Eileen F. McClenny
Address: 1012 Penrose; Walla Walla, WA. 99362

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.

MAR.23.2005 6:07PM

NO.820

P.3/51

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)

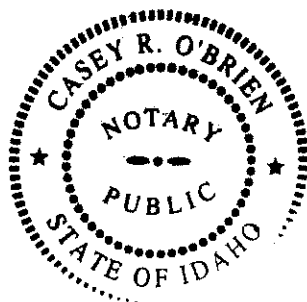
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
 (Signature of person filing objection)

Casey A. Brown
 (Attorney signing in representative capacity)

Subscribed and sworn to before me on: MARCH 24, 2005

Casey R. O'Brien
 Casey R. O'Brien



Notary Public for Idaho
 Residing at: Nampa, ID.
 My Commission Expires: 10/31/2009

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 3/24, 2005, 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:

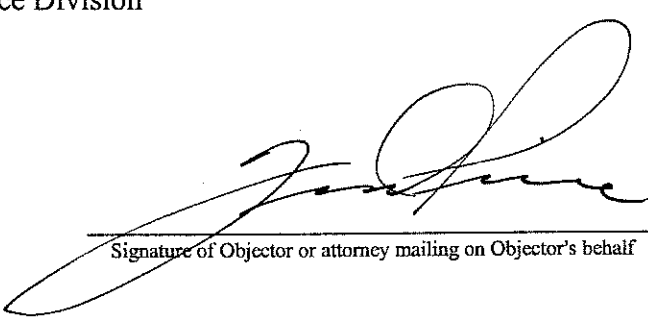
Name: Delores M. Saunders
Address: 702 Maple St.; Grangeville, Idaho 83530
Name: Robert L. Tucker
Address: P.O. Box 88; Sutton, AK. 99674
Name: Eileen F. McClenny
Address: 1012 Penrose; Walla Walla, WA. 99362

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

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

RIGHT NUMBER: 82-2017
NAME AND ADDRESS: DELORES M SAUNDERS
702 MAPLE ST
GRANGEVILLE ID 83530
ROBERT L TUCKER
PO BOX 88
SUTTON AK 99674
EILEEN F MC CLENNY
1012 PENROSE
WALLA WALLA WA 99362

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: QUEEN CREEK TRIBUTARY: AMERICAN RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 11/27/1919

POINT OF
DIVERSION: T29N R08E S13 NESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINING	1/01 12/31	2.000 CFS

PLACE OF USE: MINING Within IDAHO County
T29N R08E S13 NESW BLM/PVT

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

The Place of Use (POU) is mixed ownership. The following limiting language inserted under POU would resolve BLM's objection;

"THE USE OF WATER UNDER THIS RIGHT IS LIMITED TO MS-2478."

OR

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

Topographic map showing a mountainous area with a grid. The map includes contour lines, a grid, and various labels. The grid is labeled with "T29N R08E S13" in the upper left. The map features a large area labeled "POU" and "POD" with a "BLM" (Bureau of Land Management) area marked "PVT" and "MS-2478". A "Ditch" is indicated by a line labeled "Approximation of Ditch". The map also shows "NESE" and "NESE" labels. The map is marked with "X" at the corners and "American" at the bottom left.

-To clarify Place of Use, insert the following language under Place of Use:

or

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

