

RECEIVED  
JUN 01 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 85-04397  
(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: United States of America  
Address: 1387 South Vinnell Way; Boise, ID 83709-1657  
Name: Bureau of Land Management  
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: See attached.
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:

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 quantity reported in the Director's Report is inaccurate. The quantity under purpose and period of use should be as claimed by BLM.

2

**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)

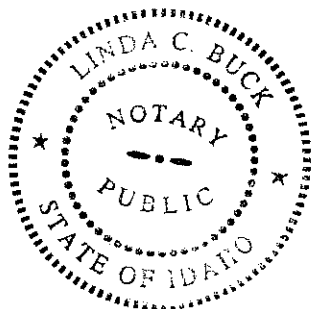
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Larry A. Brown  
(Signature of person filing objection)

Fredric W. Price  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 27<sup>th</sup>, 2005  
Linda C. Buck  
Cracy R. O'Brien Linda C. Buck



Notary Public for Idaho

Residing at: Nampa, ID Mountain Home, ID

My Commission Expires: 10/31/2009 12-21-05

## 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 May 77, 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

*hand delivered*

2. One copy to the claimant of the water right at the following address:

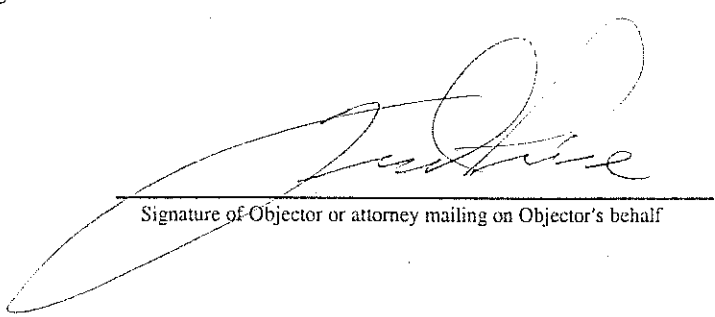
Name: United States of America  
Address: 1387 South Vinnell Way; Boise, ID 83709-1657  
Name: Bureau of Land Management  
Address: ;  
Name: ;  
Address: ;  
Name: ;  
Address: ;

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

01/14/2005

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

RIGHT NUMBER: 85-4397

QUANTITY

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657

SOURCE: SPRING

TRIBUTARY: BIG CANYON CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/20/1968

POINT OF  
DIVERSION: T35N R01E S8 SWNE Within LEWIS County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

WILDLIFE

01/01 12/31

0.010 CFS

STOCKWATER

01/01 12/31

0.010 CFS

PLACE OF USE: STOCKWATER Within LEWIS County

T35N R01E S08 SWNE

WILDLIFE same as STOCKWATER

- INDIVIDUAL QUANTITIES  
SHOULD EACH BE  
0.02 CFS

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

BLM RECORD ID = 8506588004

IN THE DISTRICT COURT OF  
THE FIFTH JUDICIAL DISTRICT OF THE STATE OF  
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER  
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MGMT.  
IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE ID 83706  
TELEPHONE: 208-334-1401

PRIORITY DATE: 1968-06-20  
IDWR NUMBER: 8504397  
BLM NUMBER: 8506588004  
BASIS OF CLAIM: STATUTORY  
BASIN NUMBER: 85

|        |                  |
|--------|------------------|
| SOURCE | TRIBUTARY TO     |
| -----  | -----            |
| SPRING | BIG CANYON CREEK |

DESCRIPTION OF DIVERSION WORKS

-----

SPRING BOX AND PIPELINE.

| PURPOSE OF USE | DIVERSION<br>RATE | DIVERSION<br>VOLUME | PERIOD OF USE<br>FROM | TO    |
|----------------|-------------------|---------------------|-----------------------|-------|
| -----          | -----             | -----               | -----                 | ----- |
| WILDLIFE       | 0.020             | 0.00                | 0101                  | 1231  |
| STOCKWATER     | 0.020             | 0.00                | 0101                  | 1231  |
| TOTAL:         | 0.020 CFS         | 0.00 AF             |                       |       |

NON-IRRIGATION USES

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S/155 RANGE, W/AREA WILDLIFE.

| POINT OF DIVERSION |     |     |        |        |        |     |        |
|--------------------|-----|-----|--------|--------|--------|-----|--------|
| TWP                | RNG | SEC | TRACT1 | TRACT2 | TRACT3 | LOT | COUNTY |
| ---                | --- | --- | ---    | ---    | ---    | --- | ---    |
| 35N                | 01E | 08  | NW     | SW     | NE     | 00  | LEWIS  |

| PLACE OF USE           |     |     |        |        |     |        | IRRIGATED |       |
|------------------------|-----|-----|--------|--------|-----|--------|-----------|-------|
| TWP                    | RNG | SEC | TRACT1 | TRACT2 | LOT | COUNTY | OWNED     | ACRES |
| ---                    | --- | --- | ---    | ---    | --- | ---    | ---       | ---   |
| 35N                    | 01E | 08  | SW     | NE     | 00  | LEWIS  | YES       | 0.0   |
| 35N                    | 01E | 08  | SW     | NE     | 00  | LEWIS  | YES       | 0.0   |
| TOTAL ACRES IRRIGATED: |     |     |        |        |     |        |           | 0.0   |

BLM NUMBER: 8506588004

PAGE: 2

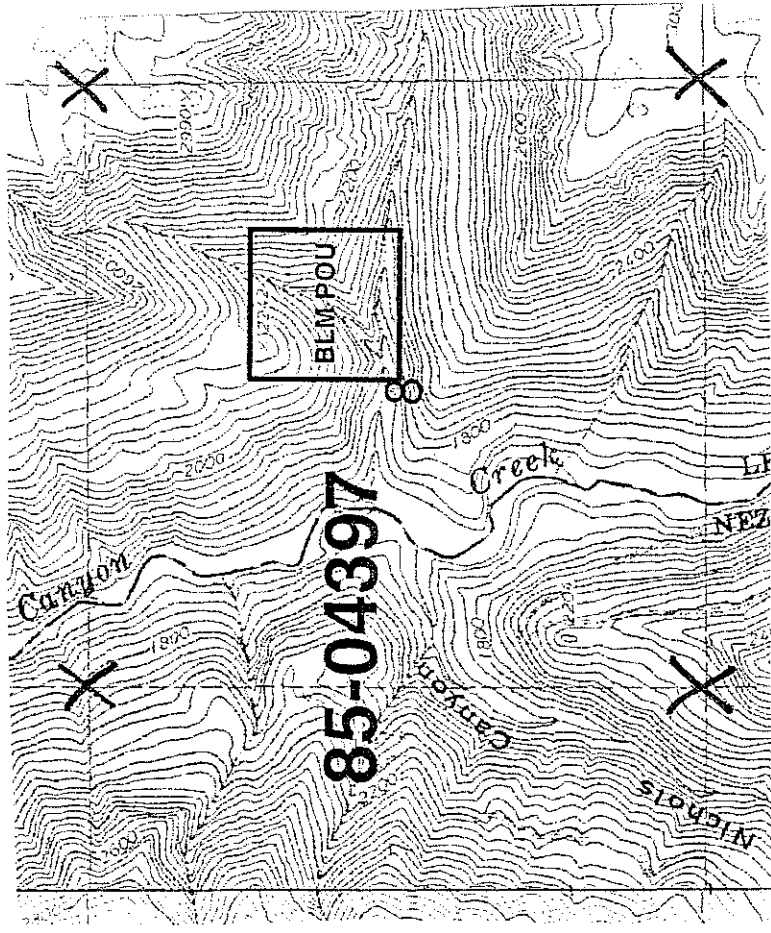
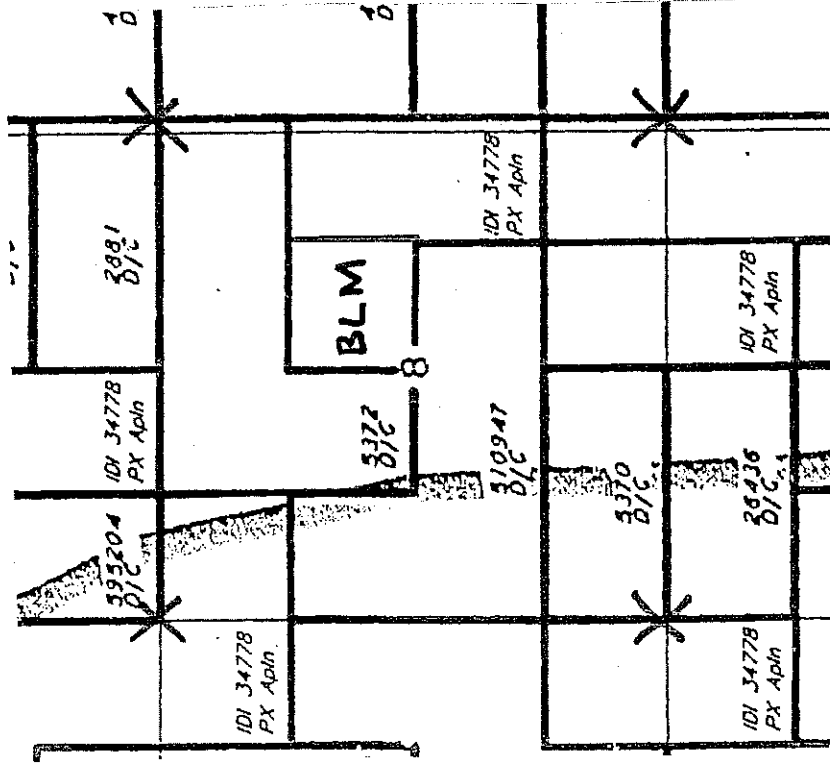
TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

-----  
NONE

REMARKS

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PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES



BLM Claim 85-04397

T35N R01E Section 8

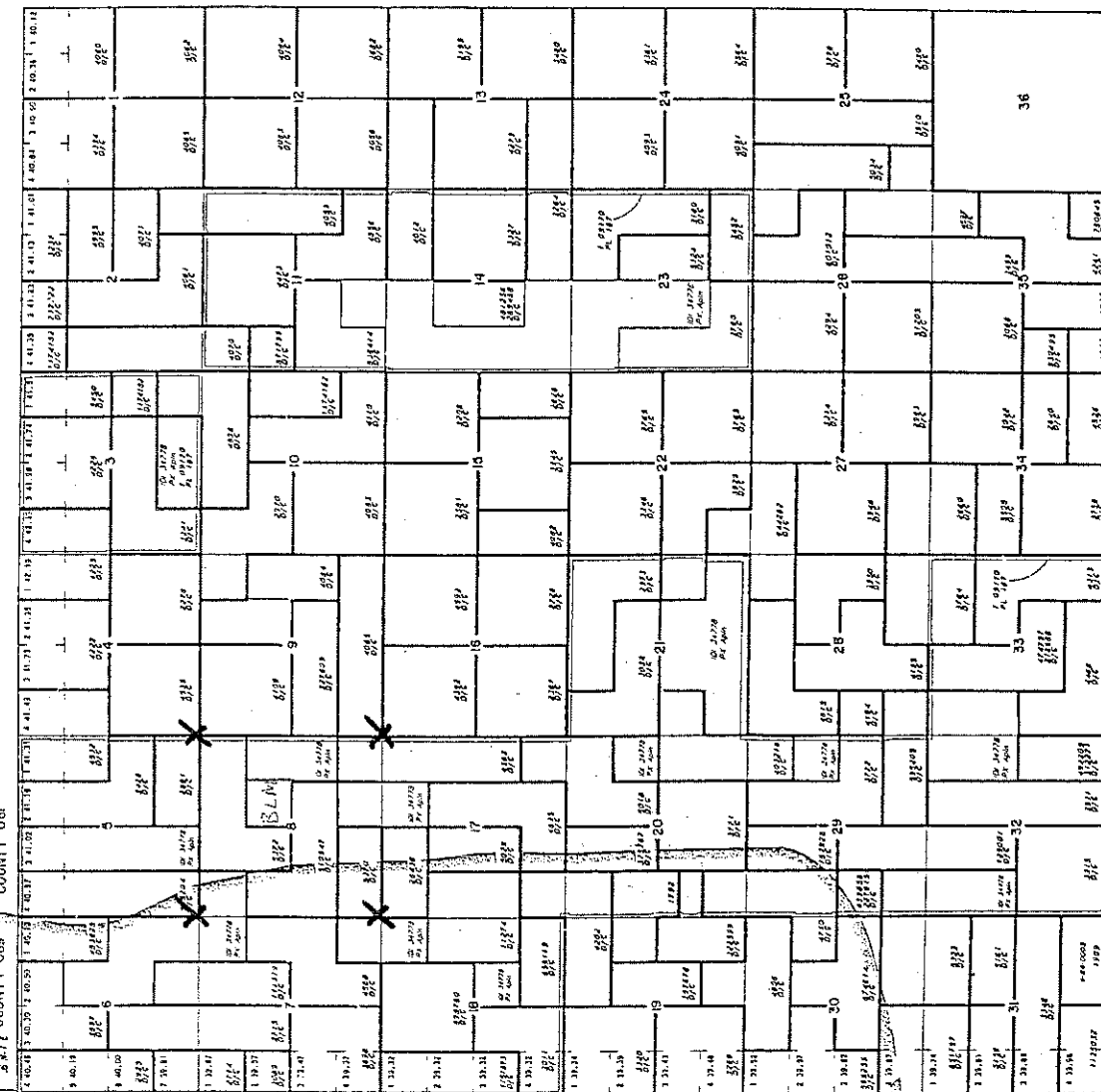
-Change Quantities to 0.02 cfs  
under period & purpose of use.

# TOWNSHIP 35 NORTH RANGE 1 EAST OF THE BOISE MERIDIAN, IDAHO

GEORGE & ALICE BEHRENS  
COTTONWOOD

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

NEZ PERCE COUNTY 065  
LEWIS COUNTY 061



SCALE IN MILES  
0 5 10 15

WARNING: STATEMENT OF LANDS NOT OWNED BY THE UNITED STATES BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORY INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

1/4 1/2 3/4 1/8 1/16 1/32 1/64 1/128 1/256 1/512 1/1024 1/2048 1/4096 1/8192 1/16384 1/32768 1/65536 1/131072 1/262144 1/524288 1/1048576 1/2097152 1/4194304 1/8388608 1/16777216 1/33554432 1/67108864 1/134217728 1/268435456 1/536870912 1/1073741824 1/2147483648 1/4294967296 1/8589934592 1/17179869184 1/34359738368 1/68719476736 1/137438953472 1/274877906944 1/549755813888 1/1099511627776 1/2199023255552 1/4398046511104 1/8796093022208 1/17592186044416 1/35184372088832 1/70368744177664 1/140737488355328 1/281474976710656 1/562949953421312 1/1125899906842624 1/2251799813685248 1/4503599627370496 1/9007199254740992 1/18014398509481984 1/36028797018963968 1/72057594037927936 1/144115188075855872 1/288230376151711744 1/576460752303423488 1/1152921504606846976 1/2305843009213693952 1/4611686018427387904 1/9223372036854775808 1/18446744073709551616 1/36893488147419103232 1/73786976294838206464 1/147573952589676412928 1/295147905179352825856 1/590295810358705651712 1/1180591620717411303424 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