

**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)

A. Subcase 25-14070
(Insert water right number)

Case No. 39576)

**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: Robert L. Clark
Address: 3617 E 800 N; Menan, Idaho 83434

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 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

)

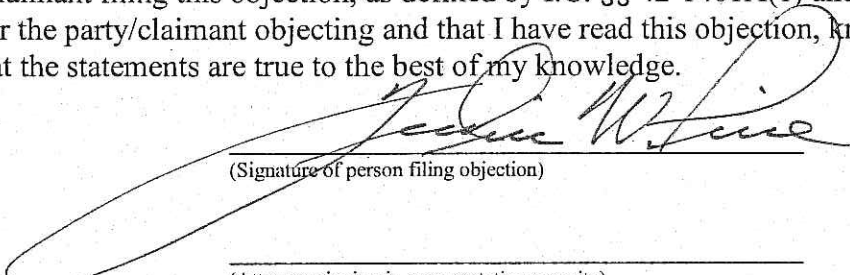
) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

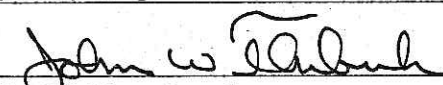
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6-21-05




John W. Thornburgh

Notary Public for Idaho
Residing at: Boise
My Commission Expires: 5/16/2009

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 June 22, 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: Robert L. Clark
Address: 3617 E 800 N; Menan, Idaho 83434

Name:
Address: ;

Name:
Address: ;

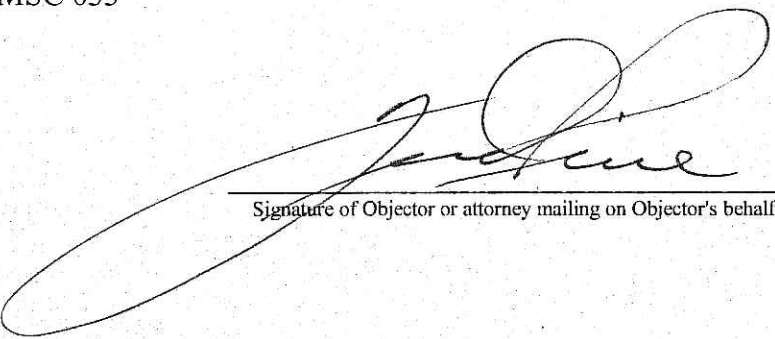
Name:
Address: ;

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

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

RIGHT NUMBER: 25-14070

NAME AND ADDRESS: ROBERT L CLARK
3617 E 800 N
MENAN ID 83434

* Use of water under this right describes both public and private land (mixed ownership descriptions). Clarify legal descriptions so that it is clear that only private land is intended.

SOURCE: ANNIS SLOUGH

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.920 CFS

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

PRIORITY DATE: 05/15/1889

POINT OF DIVERSION: T05N R38E S23 NESWS Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.920 CFS
STOCKWATER	04/01 10/31	0.070 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T05N R38E S22	NESE 1.3	*Mixed ownership description
T05N R38E S22	Lot 8 NESE 20.0	
T05N R38E S22	NWSE 2.0	*Mixed ownership description
T05N R38E S22	Lot 7 NWSE 1.8	
T05N R38E S22	Lot 7 SWSE 20.0	
T05N R38E S22	Lot 8 SESE 31.0	
T05N R38E S23	Lot 3 NWSW 7.4	

STOCKWATER Within JEFFERSON County

T05N R38E S22	Lot 8 NESE
T05N R38E S22	Lot 7 NWSE
T05N R38E S22	Lot 7 SWSE
T05N R38E S22	Lot 8 SESE
T05N R38E S23	Lot 3 NWSW

83.5 ACRES TOTAL

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 for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

SOURCE ALSO KNOWN AS HYRUM POOLE SLOUGH.
RIGHT NO. 25-13989 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 25-279 AND A
PORTION OF 25-277.

Stockwater use is for 260 range cattle.

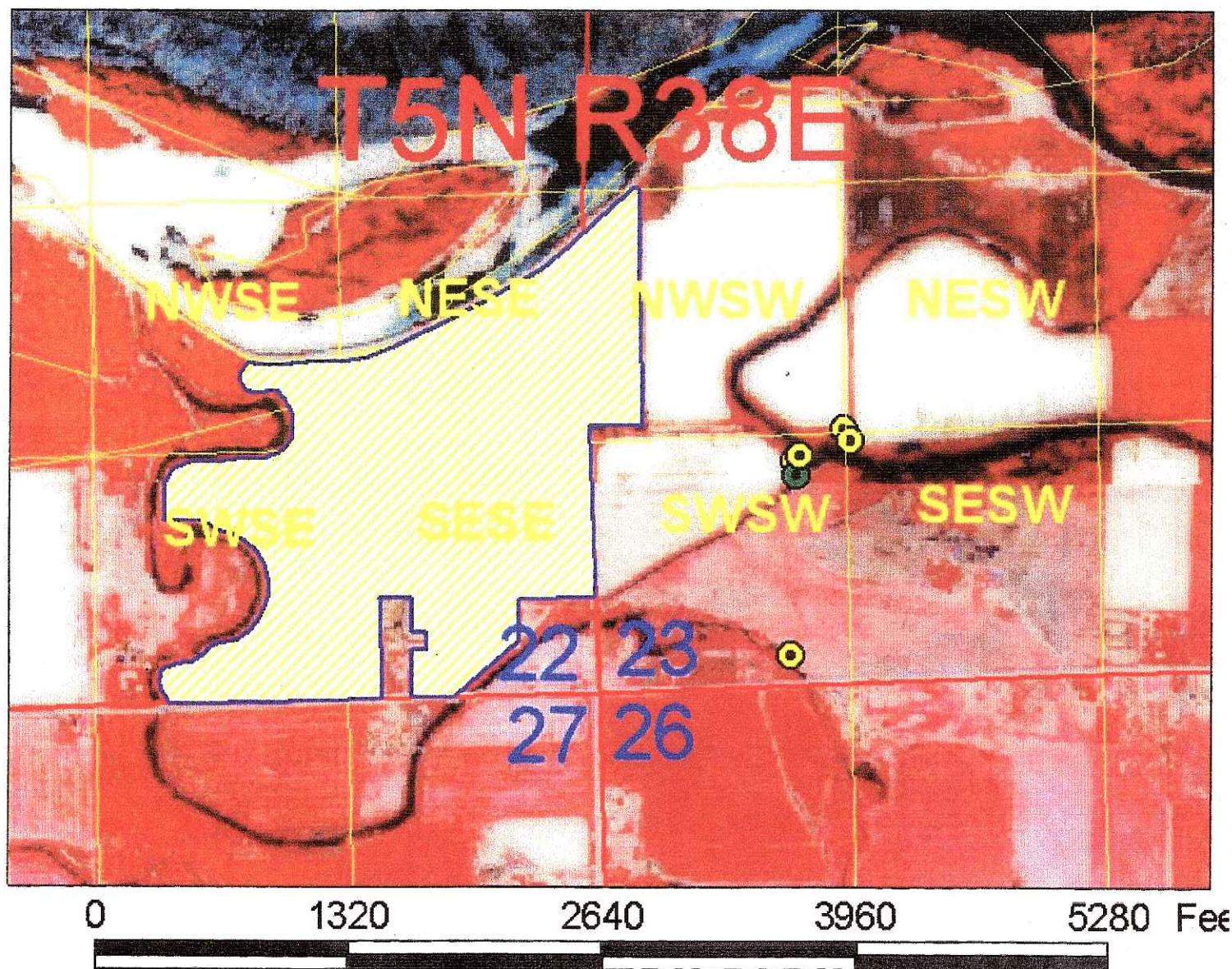
**Use of water under this right describes both public and private land (see attached).
Either describe places of use with further legal clarification or insert the following
language under place of use:**

**"The use of water under this right does not include a use on federal
public land."**



Department of Water Resources

Claim No.: 25-14070

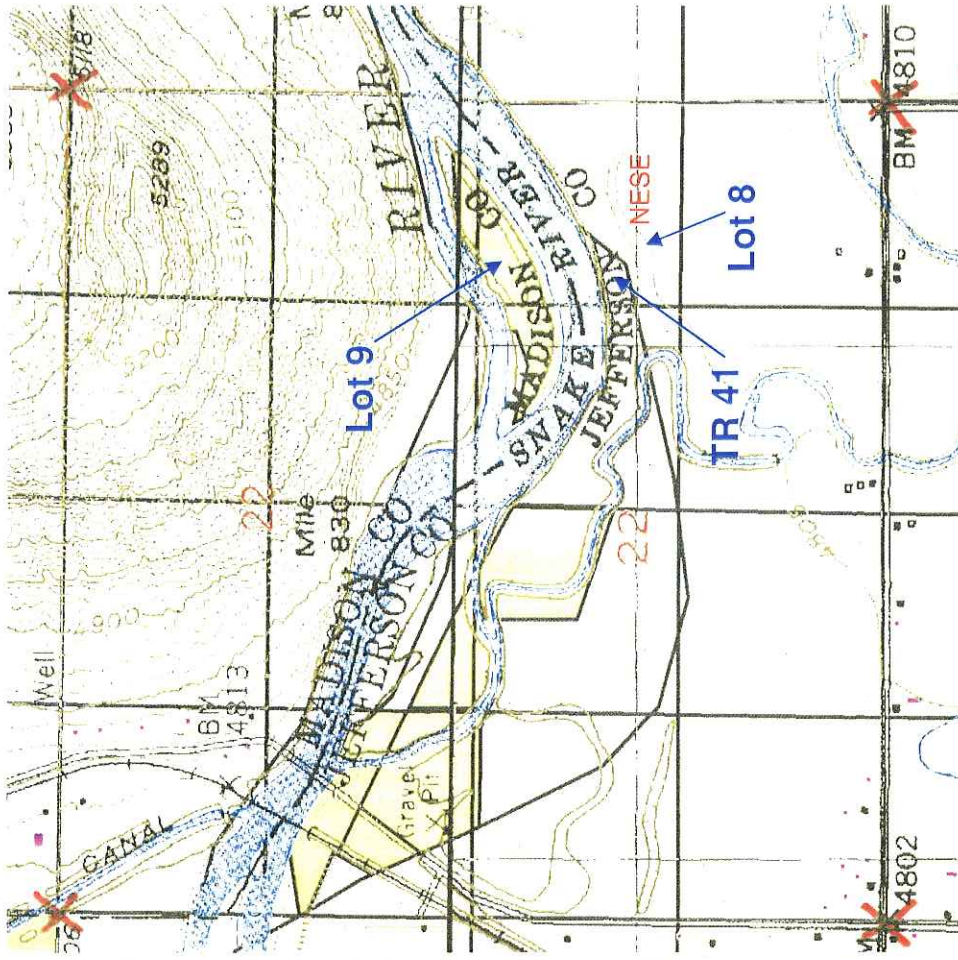
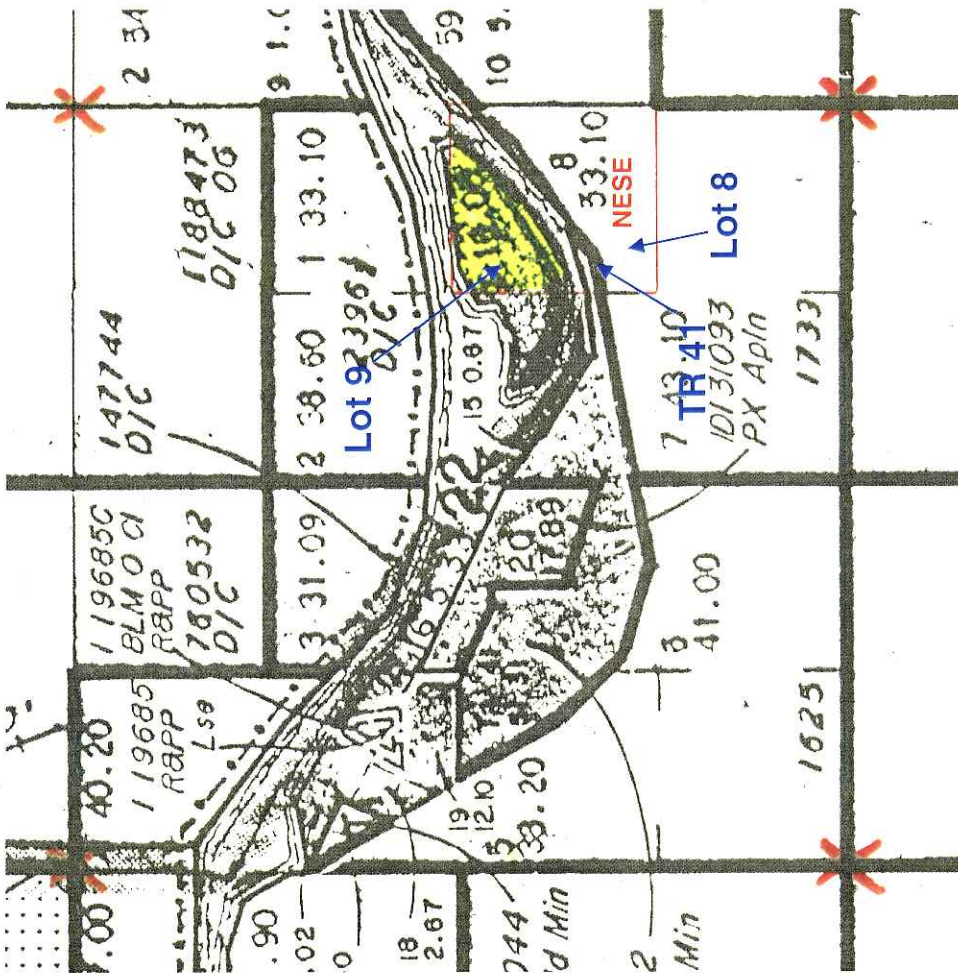


-  Place of Use
-  Sections
-  QQ
-  Point of diversion

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: June 2004

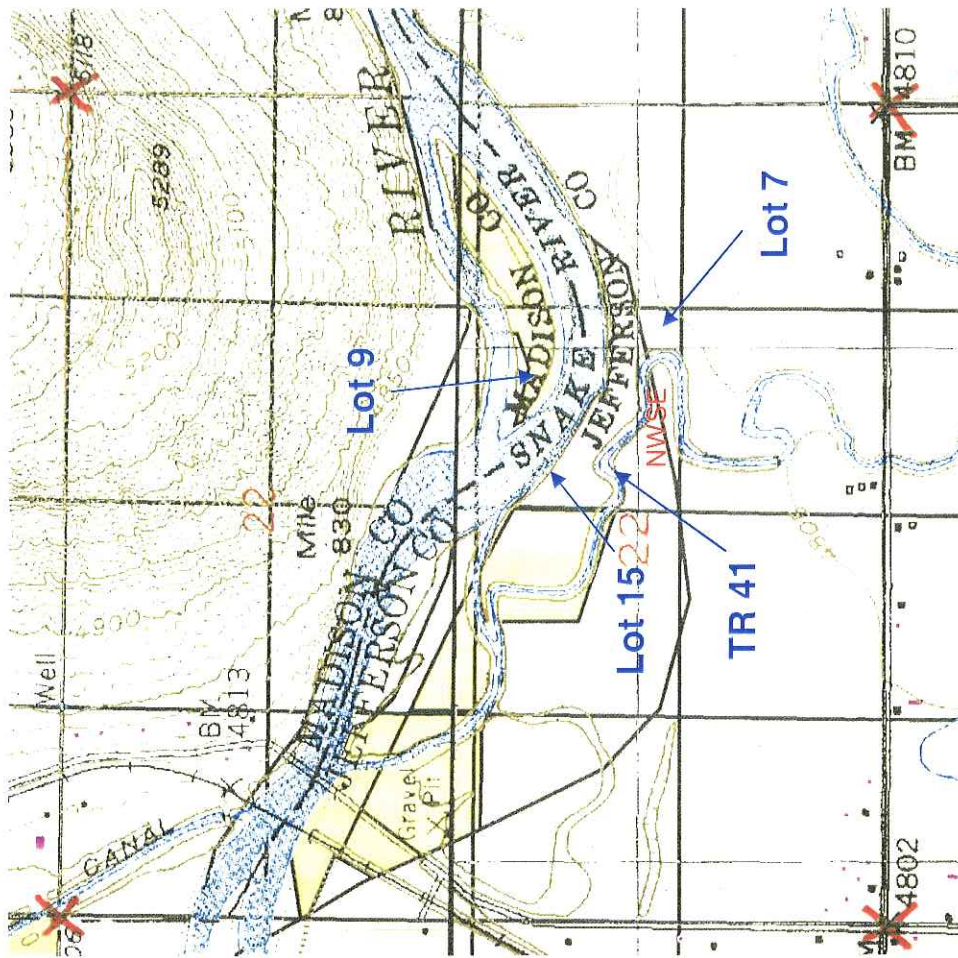
POU Hits

T05N R38E S22 NESE



05N 38E	22 NE	SE	25-14070	☒	☒	Lot 8, Tract 41 or Lot 9 (L9=BLM)
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T05N R38E S22 NWSE



Town	Rang	Sec	QQ	Qual	Gov	Subcase	Mix	PVT	BLM	FS	BOR	Other	Fed	State	Own Comment
05N	38E	22	NW	SE		25-13989	✓	✓	✓						Lot 7, Tract 41, Lot 15 or Lot 9 (L9=BLM)
05N	38E	22	NW	SE		25-14070	✓	✓	✓						Lot 7, Tract 41 Lot 15 or Lot 9 (L9=BLM)