

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 25-13956
(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: Henry Creek Ranch
Address: 1235 N 55 E; Idaho Falls, Idaho 83401

Name: c/o Karla W. Burtenshaw
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: See attached.
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 a portion of the use is claimed. With regard to POUs describing federal public land, the claimant does not have a valid water right with the elements as recommended.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

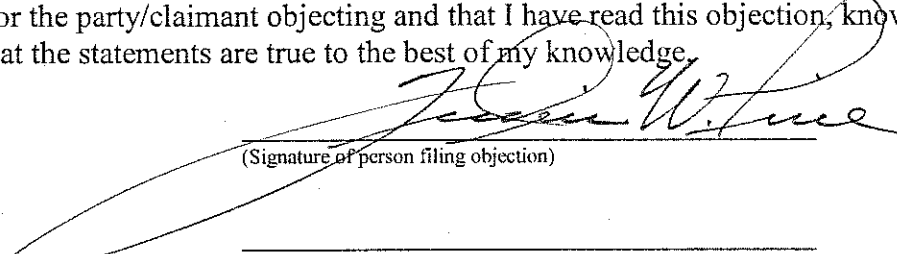
) ss.

County of ADA

)

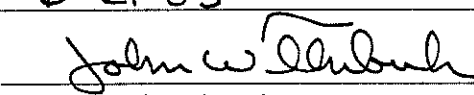
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

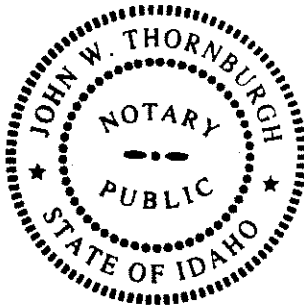
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(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:

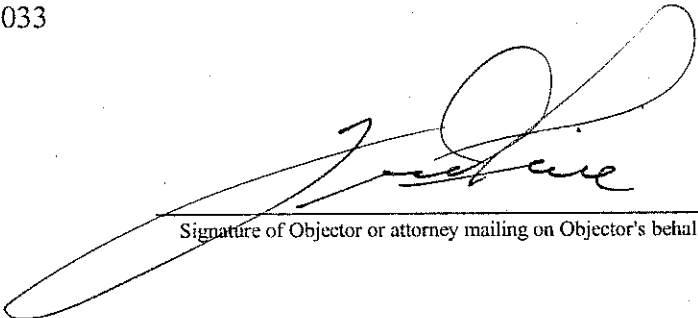
Name: Henry Creek Ranch
Address: 1235 N 55 E; Idaho Falls, Idaho 83401
Name: c/o Karla W. Burtenshaw
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

01/17/2005

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

RIGHT NUMBER: 25-13956

NAME AND ADDRESS: HENRY CREEK RANCH
C/O KARLA W BURTENSHAW
1235 N 55 E
IDAHO FALLS ID 83401

SOURCE: HENRY CREEK

TRIBUTARY: SAND CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 02/25/1922

POINT OF
DIVERSION: T01N R39E S30 NWSWSW End of Stream Flow Within BONNEVILLE County
T01S R39E S9 SWESESE Begin of Stream Flow Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
Stockwater use is for 200 range cattle.		

PLACE OF USE: STOCKWATER Within BINGHAM County

T01N R39E S30	SWSW	T01N R39E S30	SESW
T01N R39E S32	SWNW	T01N R39E S32	NWSW
T01N R39E S32	SWSW	T01S R39E S04 Lot 4 SWNW	BLM
T01S R39E S04	NESW BLM	T01S R39E S04	NWSW
T01S R39E S04	SESW	T01S R39E S04	SWSE
T01S R39E S04	SESE	T01S R39E S05 Lot 1 SENE	BLM
T01S R39E S09	NENE	T01S R39E S09	SENE
T01S R39E S09	NESE	T01S R39E S09	SESE

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

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

BINGHAM COUNTY OIL
DAND FALLS DISTRICT SEC 15
POCATELLO RAH

MT PLAT

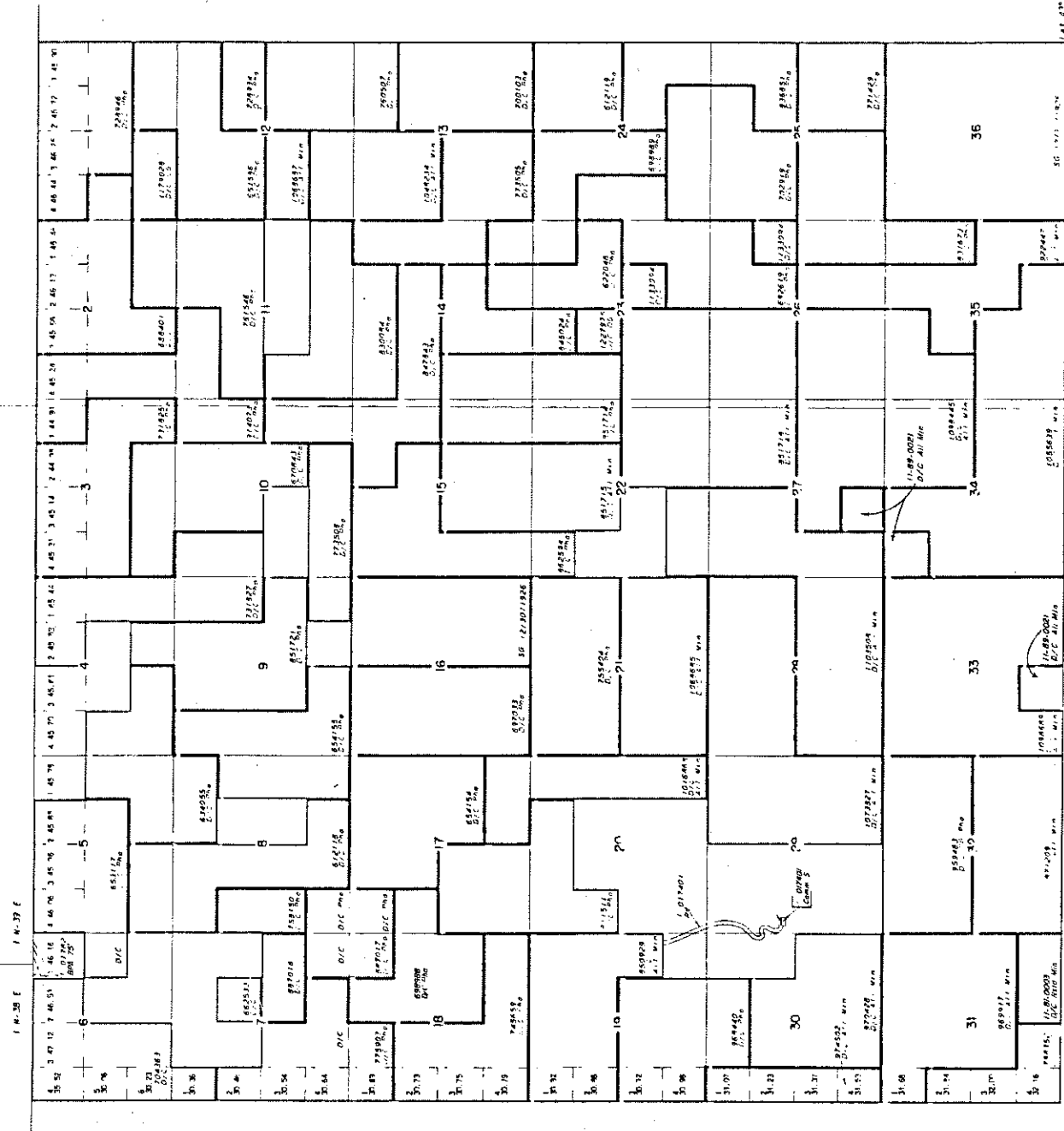
[illegible]

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

CURRENT TO	CURRENT TO
------------	------------

USE PLATE.

396



SCALE in Chains

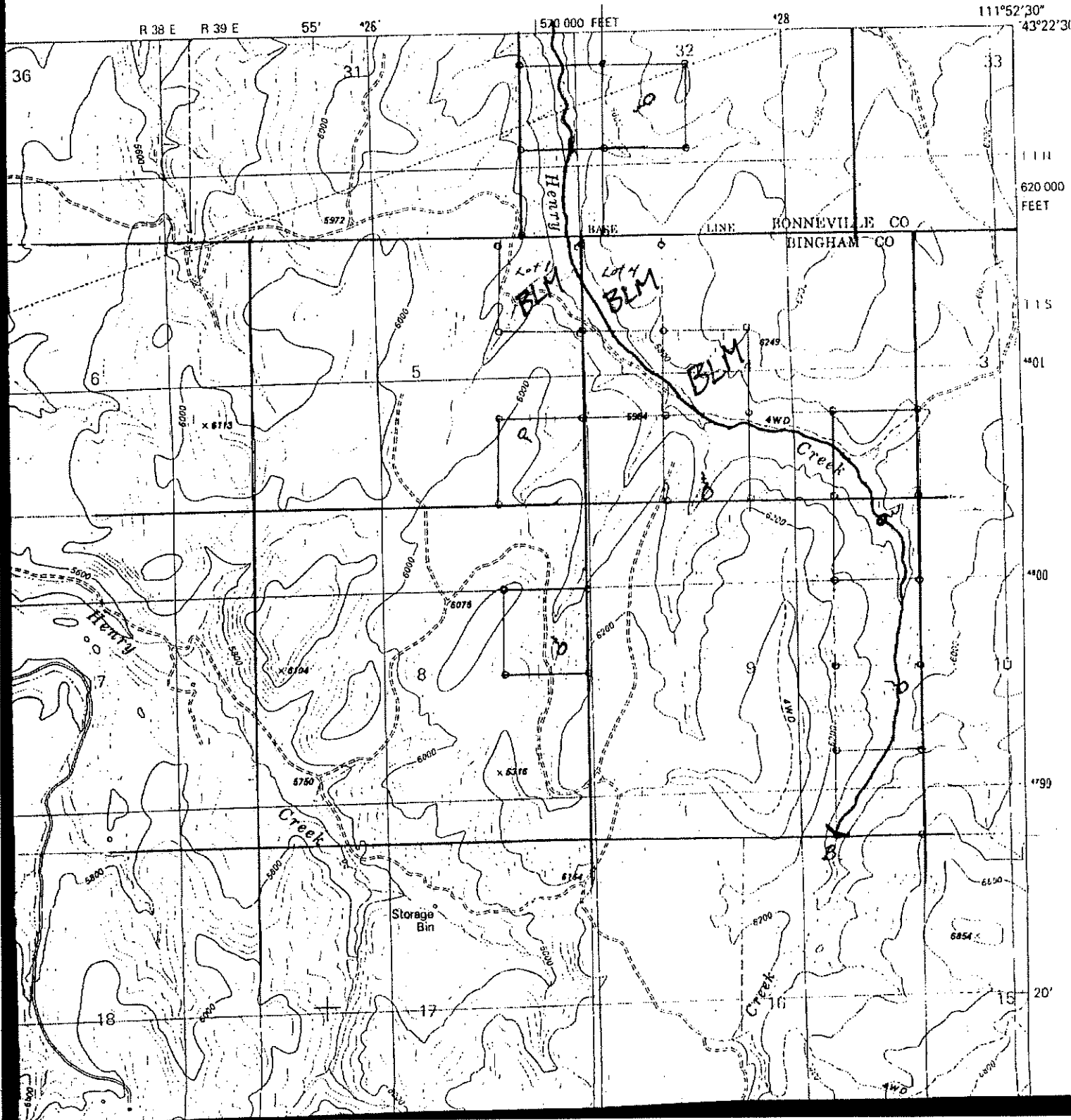
[illegible]

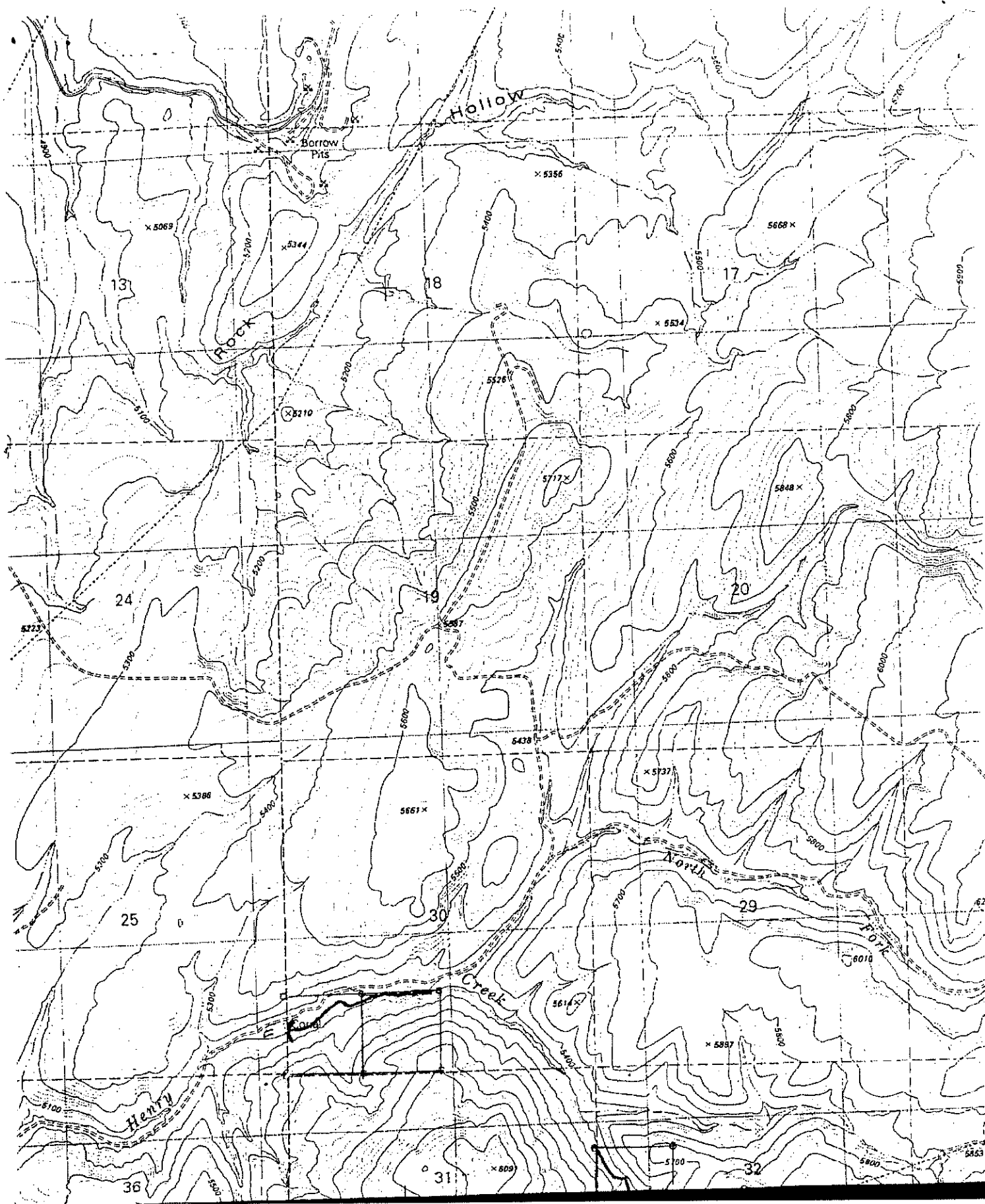
Finite Mer

WOLVERINE QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

SW 1/4 AMMON 15' QUADRANGLE

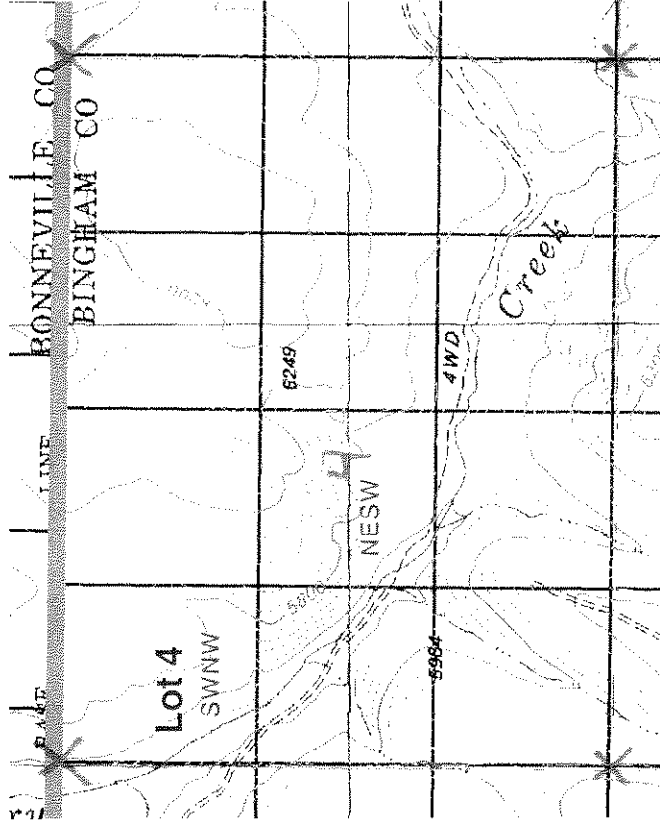
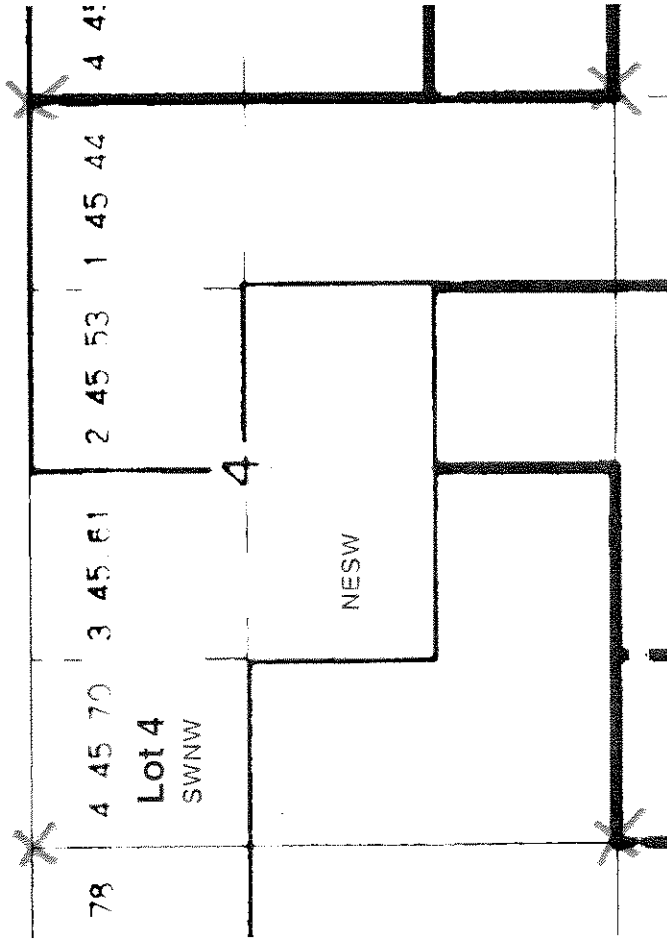
3570 IV NW
1020W





POU Hits

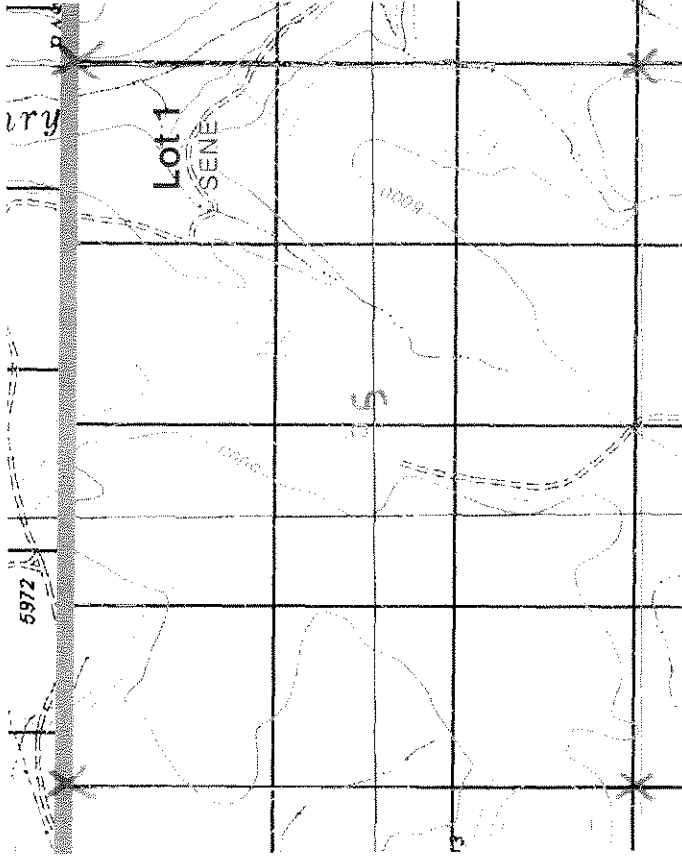
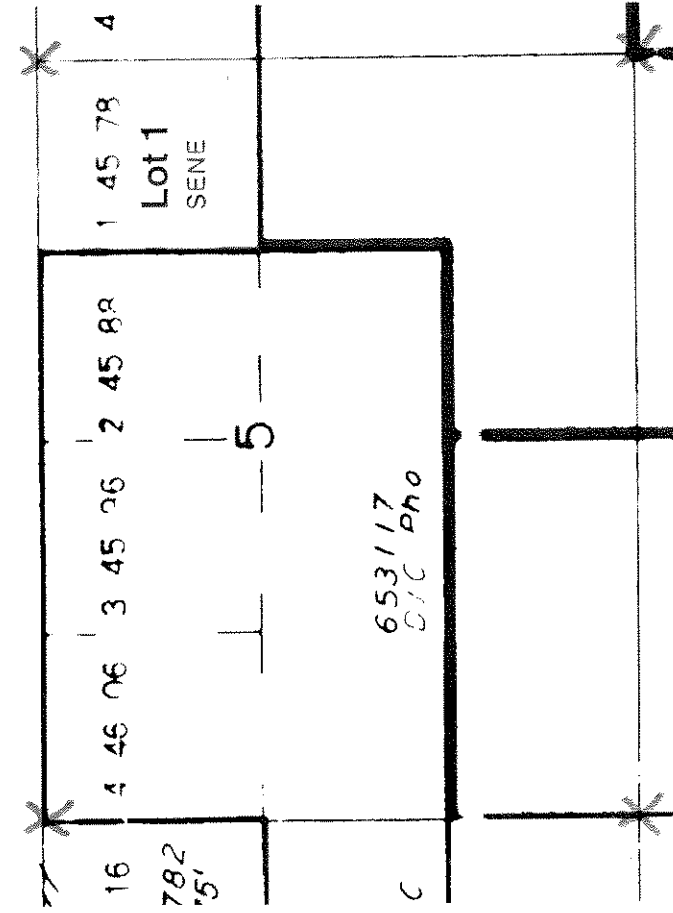
T01S R39E S04 Lot 4 (SWNW) & NESW



01S	39E	4 SW	NW	4 25-13956	☐	☒
01S	39E	4 NE	SW	25-13956	☐	☒

POU Hits

T01S R39E S05 Lot 1 (SENE)



01S	39E	5 SE	NE	125-13956
-----	-----	------	----	-----------

