

No Color
Documents
In File

51-04031	51-10671	51-10770
51-04046	51-10672	51-10780
51-10398	51-10673	51-10781
51-10399	51-10674	51-10784
51-10403	51-10676	51-10789
51-10404	51-10678	51-10790
51-10405	51-10679	51-10791
51-10407	51-10681	51-10792
51-10440	51-10682	51-10794
51-10441	51-10683	51-10795
51-10448	51-10684	51-10799
51-10451	51-10685	51-10800
51-10452	51-10687	51-10802
51-10453	51-10688	51-10803
51-10457	51-10689	51-10804
51-10475	51-10690	51-10805
51-10479	51-10691	51-10810
51-10481	51-10693	51-10811
51-10482	51-10695	51-10813
51-10483	51-10701	51-10814
51-10485	51-10703	51-10815
51-10487	51-10704	51-10818
51-10499	51-10710	51-10819
51-10511	51-10713	51-10820
51-10514	51-10714	51-10821
51-10515	51-10723	51-10823
51-10520	51-10726	51-10824
51-10523	51-10727	51-10825
51-10524	51-10728	51-10826
51-10532	51-10730	51-10827
51-10533	51-10731	51-10828
51-10537	51-10732	51-10829
51-10543	51-10737	51-10830
51-10559	51-10738	51-10831
51-10568	51-10740	51-10832
51-10570	51-10747	51-10833
51-10595	51-10748	51-10846
51-10596	51-10751	51-10854
51-10598	51-10753	51-10865
51-10600	51-10755	51-10868
51-10628	51-10756	51-10870
51-10642	51-10757	51-10873
51-10643	51-10763	51-10875
51-10648	51-10765	51-10884
51-10657	51-10767	51-10888

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 see attachment 1

(Insert water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho
Address: 700 W. Jefferson, Room 210
P.O. Box 4449
Boise, Idaho 83711-4449
Phone: Work: (208) 334-2400 Home: N/A

Name and Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 4449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: United States of America Acting Through
Address: USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1637

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: The priority date for the claimed right should be no earlier than June 28, 1934.
5. ☐ Points 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 United States has failed to establish any legal and/or factual basis for any claimed priority date for stockwater purposes with a date prior to the enactment of the Taylor Grazing Act, June 28, 1954.

F.

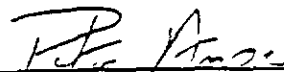
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

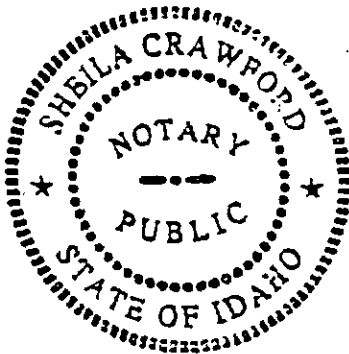
Peter J. Ampe, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho, in both its sovereign and proprietary capacity, is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
PETER J. AMPE
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: December 1, 1997
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: May 9, 2002

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 December 2, 1997, 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
255 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

Name: United States of America Acting Through
USDI Bureau of Land Management
1387 S. Vinnell Way
Boise, Idaho 83709-1657

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief of Natural Resource Division (not applicable)
Office of the Attorney General
State of Idaho
P.O. Box 4449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street MSC 033
Boise, Idaho 83724

Signature of party claimant or attorney

20
5/28/97

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/27/97
PAGE: 1

TOTAL DIVERSION:

Tributary to: SINKS

[illegible][illegible]

Other Rights: NONE

Conditions of Approval:

Remarks: EXP BLM RECORD ID = 5101680037
STOCKWATER, 1533 RANGE CATT

Verified Date: 05/27/1997

Field Inspection Flag:
Presumption Flag:

AJ5809NP

No. R51-10399

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/27/97
PAGE: 8

Comments: Date: 11/08/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
BLM RECORD ID = 5101680037
FIRST DATE OF BENEFICIAL USE - 1874

Date: 05/10/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 11/08/93 DUNN1 09/11/96 NM-SHAFF 10/11/96 AD-SHAFF 02/10/97 LHARRIS
05/10/97 WL-JSHUR 05/10/97 AJU5-JSH

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

RECEIVED

MAY 01 1997

In Re SRBA

Case No. 39576

AMENDED NOTICE of CLAIM
for Water Right number:

A51-10399

WATER RESOURCES
WESTERN REGION

NAME and
ADDRESS:

United States of America acting through
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

5101680037

SOURCE:

Source	Tributary
PLAYA	SINKS

QUANTITY:

0 CFS or VOLUME: 0.3 Acre Fee

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

PRIORITY DATE:

1/1/1874

POINT of
DIVERSION:

Twtnship	Range	Section	T1	T2	T3	LOT	within the	County of
12S	04E	28		SW	NE			73 OWYHEE
12S	04E	28		NW	SE			73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
05	0101	1231		0.3
06	0101	1231	0	0.3
17	0101	1231		0.3
18	0101	1231	0	0.3

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 30-Apr-97 5:14 PM

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

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

PLACE
of USE:

Water Use	Twtn	Rge	Sec	T1	T2	LOT	within the	County of
04	12S	04E	28	NW	SE			OWYHEE
05	12S	04E	28	SW	NE			OWYHEE
06	12S	04E	28	SW	NE	0		OWYHEE

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

ASI-10399
PRIORITY DATE: 1874-01-01
AGENCY NUMBER: 5101680037
BLM NUMBER: 5101680037
BASIS OF CLAIM: BENEFICIAL USE
BASIN NUMBER: 51

SOURCE	TRIBUTARY TO
-----	-----
PLAYA	SINKS

DESCRIPTION OF DIVERSION WORKS

IN-STREAM USE

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER STORAGE	0.000	0.30	0101	1231
WILDLIFE STORAGE	0.000	0.30	0101	1231
WILDLIFE FROM STORAGE	0.000	0.30	0101	1231
STOCKWATER FROM STORAGE	0.000	0.30	0101	1231
TOTAL:	0.000 CFS	0.30 AF		

NON-IRRIGATION USES

STOCKWATER, 1533 RANGE CATTLE; WILDLIFE VAR. AMT.

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
12S	04E	28		SW	NE	00	OWYHEE
12S	04E	28		NW	SE	00	OWYHEE

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED ACRES
12S	04E	28	SW	NE	00	OWYHEE	

MICROFILMED 0.0

JUL 08 1994

BLM NUMBER: 5101680037

PAGE: 2

12S	04E	28	SW	NE	00	OWYHEE	YES	0.0
12S	04E	28	NW	SE	00	OWYHEE	YES	0.0
12S	04E	28	NW	SE	00	OWYHEE	YES	0.0
12S	04E	28	SW	NE	00	OWYHEE	YES	0.0
12S	04E	28	SW	NE	00	OWYHEE	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

FIRST DATE OF BENEFICIAL USE - 1874

WATER RIGHT NUMBER - A51-10399 PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - DIVERSION MEANS - IN-STREAM USE

+ - - NON-IRRIGATION USE - STOCKWATER, 1533 RANGE CATTLE; WILDLIFE VAR. AMT.

+ - - OTHER RIGHTS FOR SAME USE - NONE

REMARKS - - - - -
BLM RECORD ID = 5101680037
FIRST DATE OF BENEFICIAL USE - 1874

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +
+ - - - - DECREE DEFENDANT - - - +
+ - - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 06/20/93 AJCTR

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/25/1993	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- X111111	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

Grashere Res Quao K6-29

DATA ENTRY

ENTERED 11-8-93 RS

CHECKED 2/24/94

- ✓ Tono Rep/Ctr-PC
- ✓ ASOS Map
- ✓ Watermaster Records
- ✓ NAPP Photos
- Field Exam
- Other (See Remarks)
- County Records
- Witness Statement
- Project Records
- IDWR Records

MICROFILMED

SEP 20 1993

VERIFIED
OCT 28 1993

CERTIFIED
NOV 12 1993
WATER EXAMINER

AJ5808NP
(00-26)

WATER RIGHT NUMBER - A51-10399	PREFIX TRANSLATION: ADJUDICATION CLAIM	OLD (C) NUMBER
--------------------------------	--	----------------

[illegible]

*** A - ATTORNEY ***
HAUGRUO, JACK OR G GARVER OR D ZANE

1 - US DEPT CF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PD BCX 663
CITY- WASHINGTON
PHONE - 202-272-4134
STATE- DC ZIP- 200440663

*** C - CURRENT OWNER ***
*** US DEPT OF INTERIOR ***

1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
CITY- BOISE
PHONE - 208-334-1401

*** K - ALSO KNOWN AS ***
BLM

STATE- ID ZIP- 0

[illegible][illegible]

TOWN	PNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	DIVERSION NAME
------	-----	-----	-------	-----	------	--------	--------------------	----------------

12S	04E	28	SW NE	(73)	DWYHEE
12S	04E	28	NW SE	(73)	DWYHEE

+ + + + +	CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
+ + + + +							

05 - STOCKWATER STORAGE	01/01	12/31	0.30
17 - WILDLIFE STORAGE	01/01	12/31	0.30
18 - WILDLIFE FROM STORAGE	01/01	12/31	0.30
06 - STOCKWATER FROM STORAGE	01/01	12/31	0.30

+ - TGTAL DIV.	RATE	- +	+ - TOTAL DIV.	VOLUME	- +	+ - TOTAL DIV.	CAPACITY	- +	+ - TOTAL CONSUMPTIVE USE	- +	+ - KW USAGE
				0.30							0.0

[illegible]

12S	04E	28	NW	SE	04	STOCKWATER	(73)	OWYHEE
12S	04E	28	SW	NE	05	STOCKWATER	(73)	OWYHEE
12S	04E	28	SW	NE	06	STOCKWATER FROM STORAGE	(73)	OWYHEE
12S	04E	28	NW	SE	16	WILDLIFE	(73)	OWYHEE
12S	04E	28	SW	NE	17	WILDLIFE STORAGE	(73)	OWYHEE
12S	04E	28	SW	NE	18	WILDLIFE FROM STORAGE	(73)	OWYHEE

MICROFILMED
SEP 20 1998