

51-12439	51-12516
51-12440	51-12517
51-12442	51-12518
51-12443	51-12523
51-12448	51-12525
51-12449	51-12526
51-12451	51-12528
51-12452	51-12531
51-12455	51-12532
51-12456	51-12533
51-12457	51-12535
51-12459	51-12540
51-12460	51-12543
51-12461	51-12559
51-12462	51-12575
51-12463	51-12603
51-12468	51-12610
51-12471	51-12626
51-12472	51-12627
51-12473	51-12629
51-12474	51-12651
51-12476	51-12652
51-12478	51-12659
51-12479	51-12683
51-12480	51-12703
51-12481	51-12704
51-12482	51-12707
51-12483	51-12715
51-12484	51-12821
51-12485	51-12822
51-12486	51-12823
51-12487	51-12824
51-12491	51-12825
51-12494	51-12826
51-12495	51-12827
51-12497	51-12840
51-12498	
51-12499	
51-12501	
51-12502	
51-12503	
51-12504	
51-12508	
51-12511	
51-12515	

RECEIVED

DEC - 4 1997

Department of Water Resources
Adjudication Bureau

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 83709-1657

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, 1934.

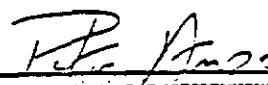
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

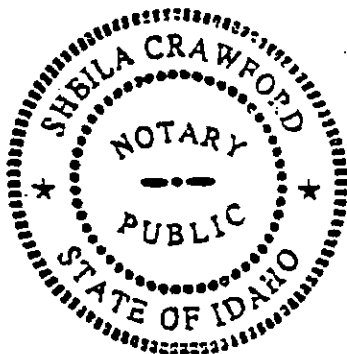
That the State of Idaho, in both its sovereign and proprietary capacity, is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection,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

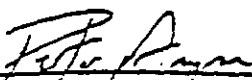
3. Copies to:

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

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

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

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

AJ0749NP
No. R51-12826

OWNER CODE: C
NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 837091657
(208) 373-4000
PRIORITY DATE: 01/01/1874
WATER USE: STOCKWATER
USE PERIOD FROM TO: 01-01 12-31
DIVERSION RATE: 0.02 CFS
DIVERSION VOLUME: 0.02 CFS
TOTAL DIVERSION: 0.02 CFS

Water Source: UNNAMED STREAM
Tributary to: JARBIDGE RIVER, EAST FORK
Stage: BENEFICIAL USE
Point(s) of Beginning Stream Reach: T16S R09E S35 Lot01(NENE)
Point(s) of Ending Stream Reach: T16S R09E S24 NESESW
OMYHEE County
OMYHEE County

Place of use Legal Description for: STOCKWATER

NE										SW										SE									
NENE					NENW					NWSW					NWSE					NENE					NWSE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
16S	09E	24	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	09E	25	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	09E	26	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
16S	09E	35	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: OMYHEE
Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A51-12826

Conditions of Approval:
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP BLM RECORD ID = 5101780827
Dates: Exam Made Date: Verified Date: 07/11/1997 Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:
Comments: Date: 05/10/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

DATE: 07/11/97
PAGE: 2

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

AJ0749NP
No. R51-12826

Comments: 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: 07/11/97 L HARRIS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R51-12826

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT INDIAN STATE OFFICE	01/01/1874	STOCKWATER	01-01 12-31	0.02 CFS	
				TOTAL DIVERSION:		
				0.02 CFS		

Water Source:	Tributary to:	Stage:
UNNAMED STREAM	JARBIDGE RIVER, EAST FORK	BENEFICIAL USE

Point(s) of Diversion:	NESESW	ENDING pt	QUYHEE County
T16S R09E S24	NESENE	ENDING pt	QUYHEE County
S26	NESENE	ENDING pt	QUYHEE County
S35 Lot01(NE1/4)	NESENE	ENDING pt	QUYHEE County

Place of use Legal Description for: STOCKWATER

[illegible]

Lots Without 1/4 1/4 Description: STOCKWATER
16S OPE 35 01-S ~~add~~ MAKE TO LOT 15.35

POW County:

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A51-12826

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:

Misc:

Comments: Date: 05/10/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.

ADD 510, 780827 BLM 510, 780827 ~~AD~~# for gpl, Newmarch

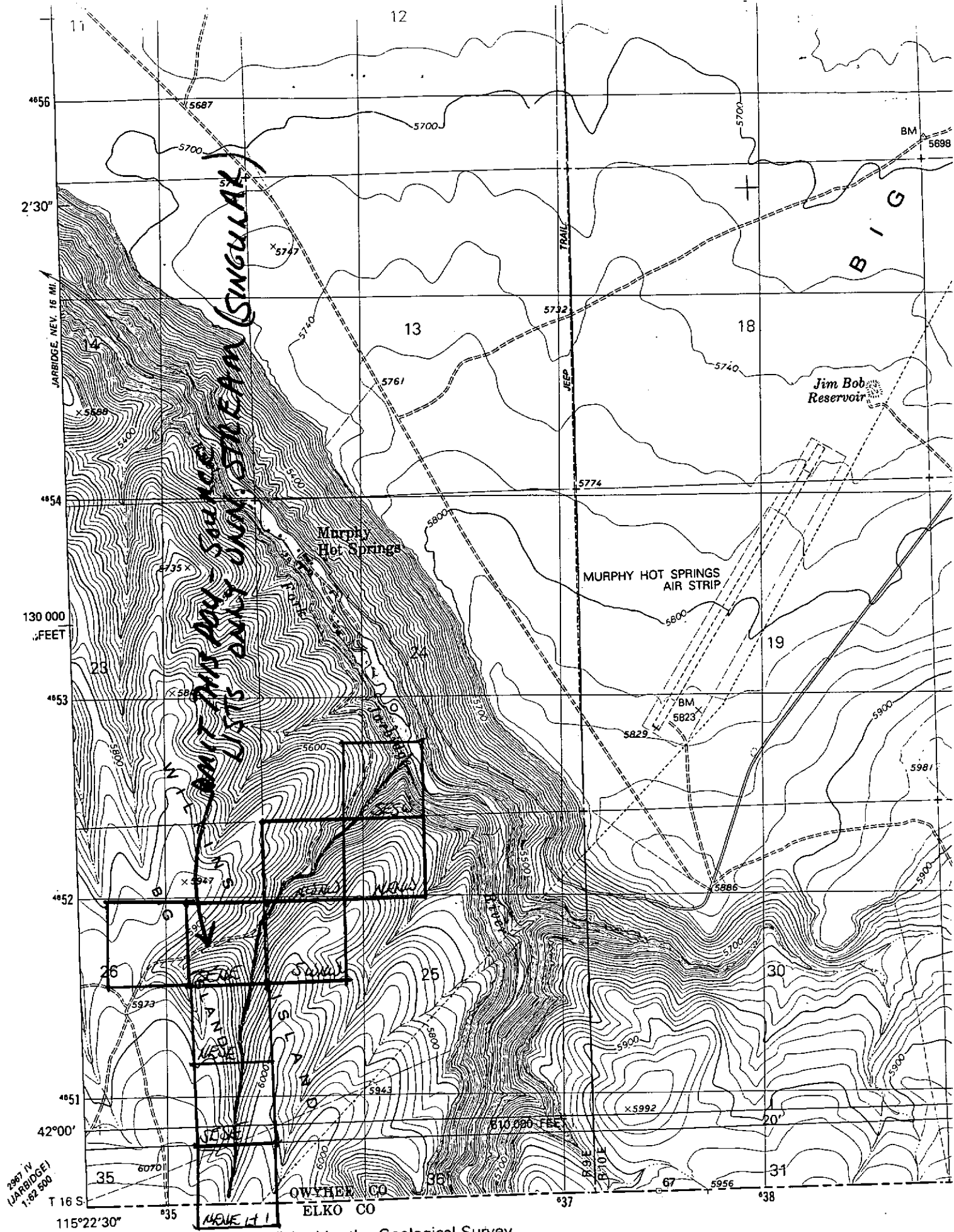
AJ5809NP
No. R51-12826

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/97
PAGE: 9

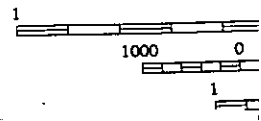
Comments: Date: 05/10/1997 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 05/06/97 AJCTR 05/10/97 WL-JSHUR 05/10/97 AJU5-JSH



Mapped, edited, and published by the Geological Survey
Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial
1973 F checked 1974



AJ5815NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT

DATE: 06/29/97

OPTION: GET ALL USES

ADJUDICATION CLAIM NUMBER: R51-12825

PAGE: 3

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
			SW	NW		DROWN, WILLIAM	A51-10191 /04/	-	/ /
			SW	NW		AMERICA ACTING THROUGH,	UNITEDR51-12159 /04/	-	/ /
			SW	NW		AMERICA ACTING THROUGH,	UNITEDA51-12159 /04/	-	/ /
			SW	NW		DROWN, WILLIAM	R51-10191 /04/	-	/ /
			SW	NW		AMERICA ACTING THROUGH,	UNITEDA51-12825 /04/	-	/ /
16S	12E	22	SE	NW		AMERICA ACTING THROUGH,	UNITEDR51-12825 /04/	-	/ /
			SE	NW		AMERICA ACTING THROUGH,	UNITEDA51-12825 /04/	-	/ /
TOTAL ACRES							R51-12825		

POU COUNTY:

A. ROOT WATER RIGHT NUMBERS:
A51-12826
R51-12826

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
16S	09E	24	SE	SW		AMERICA ACTING THROUGH,	UNITEDR51-12826 /04/	-	/ /
			SE	SW		AMERICA ACTING THROUGH,	UNITEDR51-1959 /04/	-	/ /
			SE	SW		LATIMORE, JOHN D	A51-10013 /04/	-	/ /
			SE	SW		AMERICA ACTING THROUGH,	UNITEDA51-12374 /04/	-	/ /
			SE	SW		AMERICA ACTING THROUGH,	UNITEDA51-12826 /04/	-	/ /
16S	09E	25	NE	NW		AMERICA ACTING THROUGH,	UNITEDR51-12826 /04/	-	/ /
			NE	NW		AMERICA ACTING THROUGH,	UNITEDA51-12826 /04/	-	/ /
16S	09E	25	NW	NW		AMERICA ACTING THROUGH,	UNITEDR51-12826 /04/	-	/ /
			NW	NW		AMERICA ACTING THROUGH,	UNITEDA51-12374 /04/	-	/ /
			NW	NW		AMERICA ACTING THROUGH,	UNITEDA51-12826 /04/	-	/ /
16S	09E	25	SW	NW		AMERICA ACTING THROUGH,	UNITEDR51-12826 /04/	-	/ /
			SW	NW		AMERICA ACTING THROUGH,	UNITEDA51-12374 /04/	-	/ /
			SW	NW		AMERICA ACTING THROUGH,	UNITEDA51-12826 /04/	-	/ /
16S	09E	26	SW	NE		AMERICA ACTING THROUGH,	UNITEDR51-12826 /04/	-	/ /
			SW	NE		AMERICA ACTING THROUGH,	UNITEDA51-12826 /04/	-	/ /
16S	09E	26	SE	NE		AMERICA ACTING THROUGH,	UNITEDR51-12826 /04/	-	/ /
			SE	NE		AMERICA ACTING THROUGH,	UNITEDA51-12374 /04/	-	/ /
			SE	NE		AMERICA ACTING THROUGH,	UNITEDA51-12826 /04/	-	/ /
16S	09E	26	NE	SE		AMERICA ACTING THROUGH,	UNITEDR51-12826 /04/	-	/ /

JARBIDGE AUSER SOURCE - NO OVERLAP
DOMESTIC - WELL
RECORD IN 16S 09E ONLY - NO
OVERLAP

AJ5815WP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POJ REVIEW REPORT

DATE: 06/29/97

OPTION: GET ALL USES

ADJUDICATION CLAIM NUMBER: R51-12826

PAGE: 4

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
			NE	SE		AMERICA ACTING THROUGH, UNITEDA51-12374 /04/	-	-	/ /
			NE	SE		AMERICA ACTING THROUGH, UNITEDA51-12826 /04/	-	-	/ /
16S	09E	26	NW	SE		AMERICA ACTING THROUGH, UNITEDR51-12826 /04/	-	-	/ /
			NW	SE		AMERICA ACTING THROUGH, UNITEDA51-12826 /04/	-	-	/ /
16S	09E	26	SE	SE		AMERICA ACTING THROUGH, UNITEDR51-12826 /04/	-	-	/ /
			SE	SE		AMERICA ACTING THROUGH, UNITEDA51-12374 /04/	-	-	/ /
			SE	SE		AMERICA ACTING THROUGH, UNITEDA51-12826 /04/	-	-	/ /
16S	09E	35			1	AMERICA ACTING THROUGH, UNITEDR51-12826 /04/	-	-	/ /
					1	AMERICA ACTING THROUGH, UNITEDA51-12826 /04/	-	-	/ /
TOTAL ACRES						R51-12826			

POJ COUNTY:

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

AMENDED NOTICE of CLAIM
for Water Right number:

A51-12826

United States of America acting through
Bureau of Land Management

NAME and
ADDRESS:

Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

Stg: StFed:

5101780827

J

S

SOURCE:

Source	Tributary
UNNAMED STREAM	JARBIDGE RIVER, E. FORK

QUANTITY:

0.02

CFS

or VOLUME:

Acre Fee

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

PRIORITY DATE:

1/1/1874

Diversion Means: IN-STREAM USE

POINT of
DIVERSION:

Twntship	Range	Section	T1	T2	T3	LOT	within the	County of
16S	09E	24	NE	SE	SW			73 OWYHEE
16S	09E	35				1		73 OWYHEE
16S	09E	26	NW	NW	SE			73 OWYHEE
16S	09E	26	NE	SE	NE			73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
04	0101 1231	0.02		

CONSUMPTIVE
USE:

de minimis stockwater use

DATE:

09-Jun-97 7:38 AM

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	Twnt	Rge	Sec	T1	T2	LOT	within the	County of
04	16S	09E	24	SE	SW			OWYHEE
04	16S	09E	25	NE	NW			OWYHEE
04	16S	09E	25	NW	NW			OWYHEE
04	16S	09E	25	SW	NW			OWYHEE
04	16S	09E	26	SE	NE			OWYHEE
04	16S	09E	26	SW	NE			OWYHEE
04	16S	09E	26	NW	SE			OWYHEE
04	16S	09E	26	NE	SE			OWYHEE
04	16S	09E	26	SE	SE			OWYHEE
04	16S	09E	35			1		OWYHEE

Two claims were missing priority date information, these were: 5501588474 and 5501588384

Seven claims were missing information in the Diversion Means column, these were:

5101780828 (12827) 5101780822 (12821) 5101780823 (12822)
5101780824 (12823) 5101780825 (12824) 5101780826 (12825)
5101780827 (12826)

There were some claims that also need to be added to this reporting area, they are:

5101680094 (10457) 6101780157 (1153) 6101788036 (02289)
5101780829 (10 #
4ET) 6101688140 (reestablished) (07548)

Finally, there are three additional claims that needed to be changed to dual based, they are:

6105680010 (04058) 6105680006 (11215) 6105680011 (04057)

RECEIVED

JUN 09 1997

WATER RESOURCES
WESTERN REGION

RECEIVED

MAY 01 1997

WATER RESOURCES
WESTERN REGION

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

AMENDED NOTICE of CLAIM
for Water Right number:

A51-12826

United States of America acting through
Bureau of Land Management

NAME and
ADDRESS:

Idaho State Office
1387 South Vinnell Way
Boise, ID 83709 - 1657

BLMIDENT:

5101780827

SOURCE:

Source	Tributary
UNNAMED STREAM	JARBIDGE RIVER, E. FORK

QUANTITY:

0.02 CFS or VOLUME: 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:

Twntship	Range	Section	T1	T2	T3	LOT	within the	County of
16S	09E	24	NE	SE	SW			73 OWYHEE
16S	09E	35				1		73 OWYHEE
16S	09E	26	NW	NW	SE			73 OWYHEE
16S	09E	26	NE	SE	NE			73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
04	0101 1231	0.02		

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 01-May-97 2:42 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	Twnt	Rge	Sec	T1	T2	LOT	within the	County of
04	16S	09E	24	SE	SW			OWYHEE
04	16S	09E	25	NE	NW			OWYHEE
04	16S	09E	25	NW	NW			OWYHEE
04	16S	09E	25	SW	NW			OWYHEE
04	16S	09E	26	SE	NE			OWYHEE
04	16S	09E	26	SW	NE			OWYHEE
04	16S	09E	26	NW	SE			OWYHEE
04	16S	09E	26	NE	SE			OWYHEE
04	16S	09E	26	SE	SE			OWYHEE
04	16S	09E	35			1		OWYHEE

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

AMENDED NOTICE of CLAIM
for Water Right number:

A51-12826

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

BLM IDENT:

5101780827

SOURCE:

Source	Tributary
UNNAMED STREAM	JARBIDGE RIVER, E. FORK

QUANTITY:

0.02 CFS

or VOLUME:

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:

Township	Range	Section	T1	T2	T3	LOT	within the	County of
16S	09E	24	NE	SE	SW			73 OWYHEE
16S	09E	35				1		73 OWYHEE
16S	09E	26	NW	NW	SE			73 OWYHEE
16S	09E	26	NE	SE	NE			73 OWYHEE

PURPOSE
and
PERIOD
OF USE:

Purpose of Use	Period of Use (from - to):	Rate in CFS	or	Volume in Ac
04	0101 1231	0.02		

CONSUMPTIVE
USE:

de minimis stockwater use

DATE: 06-May-97 11:07 AM

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	Tw	Rge	Sec	T1	T2	LOT	within the	County of
04	16S	09E	24	SE	SW			OWYHEE
04	16S	09E	25	NE	NW			OWYHEE
04	16S	09E	25	NW	NW			OWYHEE
04	16S	09E	25	SW	NW			OWYHEE
04	16S	09E	26	SE	NE			OWYHEE
04	16S	09E	26	SW	NE			OWYHEE
04	16S	09E	26	NW	SE			OWYHEE
04	16S	09E	26	NE	SE			OWYHEE
04	16S	09E	26	SE	SE			OWYHEE
04	16S	09E	35			1		OWYHEE

LATE CLAIM