

RECEIVED

MAR 13 2006

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 37-00329
(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: William & Karen Arkoosh

Address: 2005 Hwy 26; Gooding, Idaho 83330

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 United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

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.

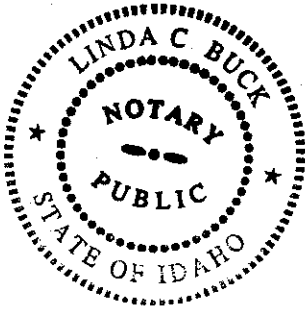
Fredric W. Price
(Signature of person filing objection)

David N. Price for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

March 8, 2006
Linda C. Buck
Linda C. Buck

Notary Public in and for the State of Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2011



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 March 9, 2006, 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:

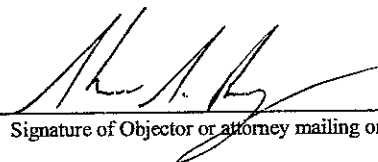
Name: William & Karen Arkoosh
Address: 2005 Hwy 26; Gooding, Idaho 83330
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

11/01/2005

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

RIGHT NUMBER: 37-329
NAME AND ADDRESS: WILLIAM ARKOOSH
2005 HWY 26
GOODING ID 83330
KAREN A ARKOOSH
2005 US HWY 26
GOODING ID 83330

**POUs on BLM
-Remove POU's that
describe Public Land**

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/15/1886

POINT OF DIVERSION: T05S R16E S26 NENE Within LINCOLN County
T05S R16E S26 NWNE Within LINCOLN County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	2.000 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R16E S21	SWSE	5.0	T05S R16E S21	SESE	24.0
T05S R16E S22	SWSW	8.0	T05S R16E S22	SESW	5.5 BLM
T05S R16E S22	SWSE	1.0 BLM	T05S R16E S22	SESE	1.5 BLM
T05S R16E S23	SWSW	8.0 BLM	T05S R16E S23	SESW	1.5 BLM
T05S R16E S26	NENE	12.0	T05S R16E S26	NWNE	9.0
T05S R16E S26	SWNE	14.0	T05S R16E S26	NENW	17.0
T05S R16E S26	NWNW	31.0	T05S R16E S26	SWNW	5.5
T05S R16E S26	SENE	4.5	T05S R16E S27	NENE	11.0
T05S R16E S27	NWNE	14.0	T05S R16E S27	NENW	24.0
T05S R16E S27	NWNW	32.0	T05S R16E S28	NENE	16.0
T05S R16E S28	SENE	0.5			

POSSIBLE TYPO
Total = 245
Recommended = 246.3

* 246.3 ACRES TOTAL *

RIGHT NOS. 37-59M, 37-327 AND 37-329 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 245 ACRES IN A SINGLE IRRIGATION SEASON

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.

Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American

11/01/2005

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

Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company

11/01/2005

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

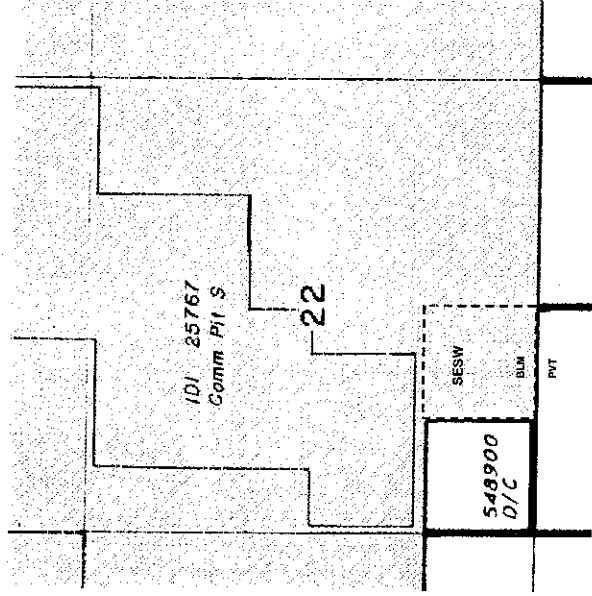
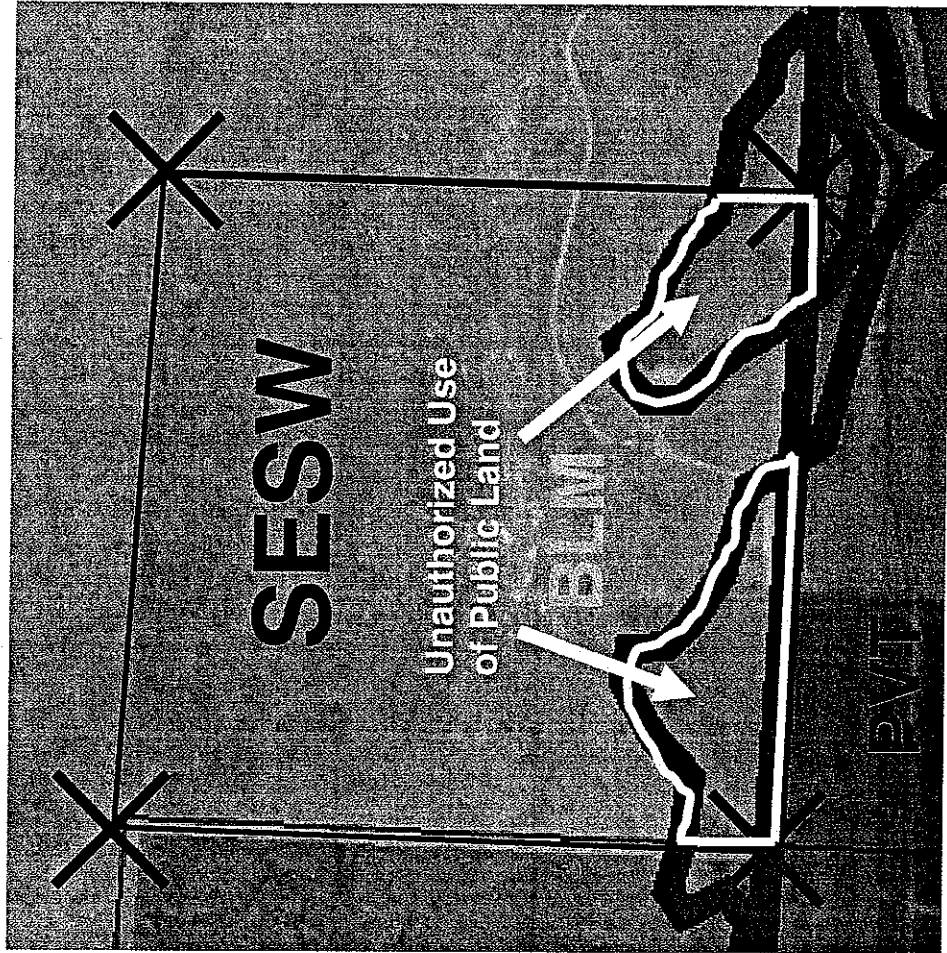
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH THE HUNTER DITCHES.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO 2.

37-00059M, 37-00327, & 37-00329 William and Karen A. Arkoosh T05S, R16E, S22, SESW

Town	Rang	Subcase	Sect	QQ	Quar	Bas	Gov	Mix	PVT	BLM	FS	BOR	OtherFed	State	Own Comment
D5S	16E	37-00059M	22	SE	SW	37				☒	☐	☒	☐	☐	Unauthorized Use
D5S	16E	37-00327	22	SE	SW	37				☒	☐	☐	☐	☐	Unauthorized Use
D5S	16E	37-00329	22	SE	SW	37				☒	☐	☐	☐	☐	Unauthorized Use

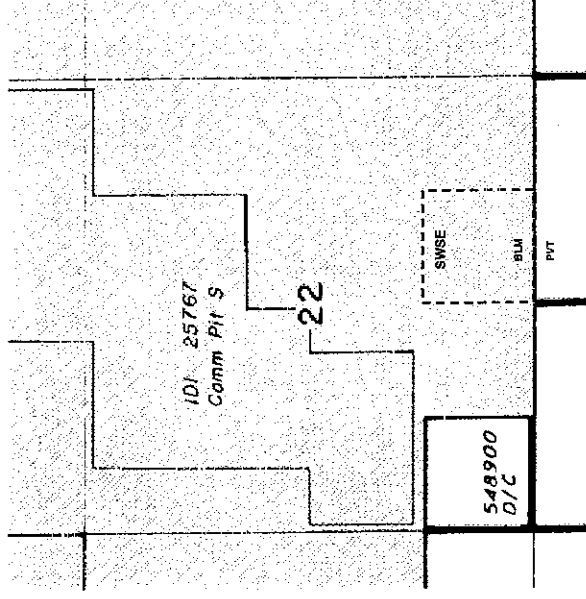
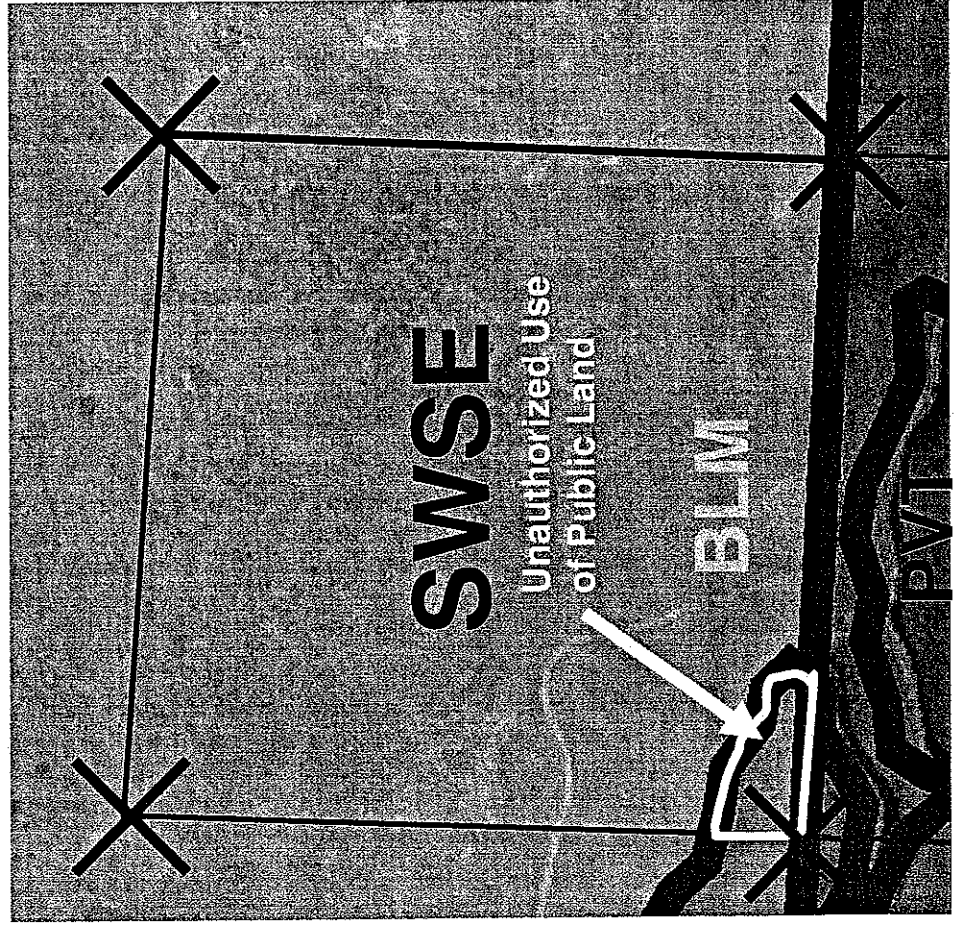


Shape should be corrected to eliminate the intrusion on Public Land. This change should reduce acreage, quantity may also need to be proportionally reduced to reflect the acreage change.

37-00059M, 37-00327, & 37-00329 William and Karen A. Arkoosh

T05S, R16E, S22, SWSE

Town	Rang	Subcase	Sect	QQ	Quar	Bas	Gov	Mix	PVT	BLM	FS	BOR	Other	Fed	State	Own Comment
05S	16E	37-00059M	22	SW	SE	37		☐	☐	☒	☐	☐	☐	☐	☐	Unauthorized Use
05S	16E	37-00327	22	SW	SE	37		☐	☐	☒	☐	☐	☐	☐	☐	Unauthorized Use
05S	16E	37-00329	22	SW	SE	37		☐	☐	☒	☐	☐	☐	☐	☐	Unauthorized Use



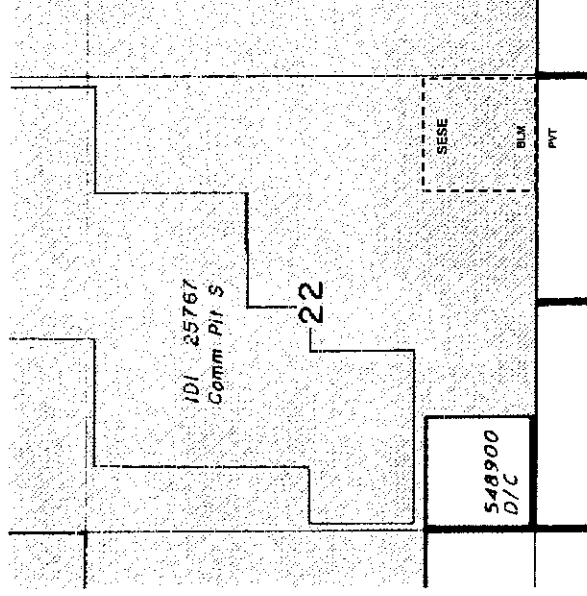
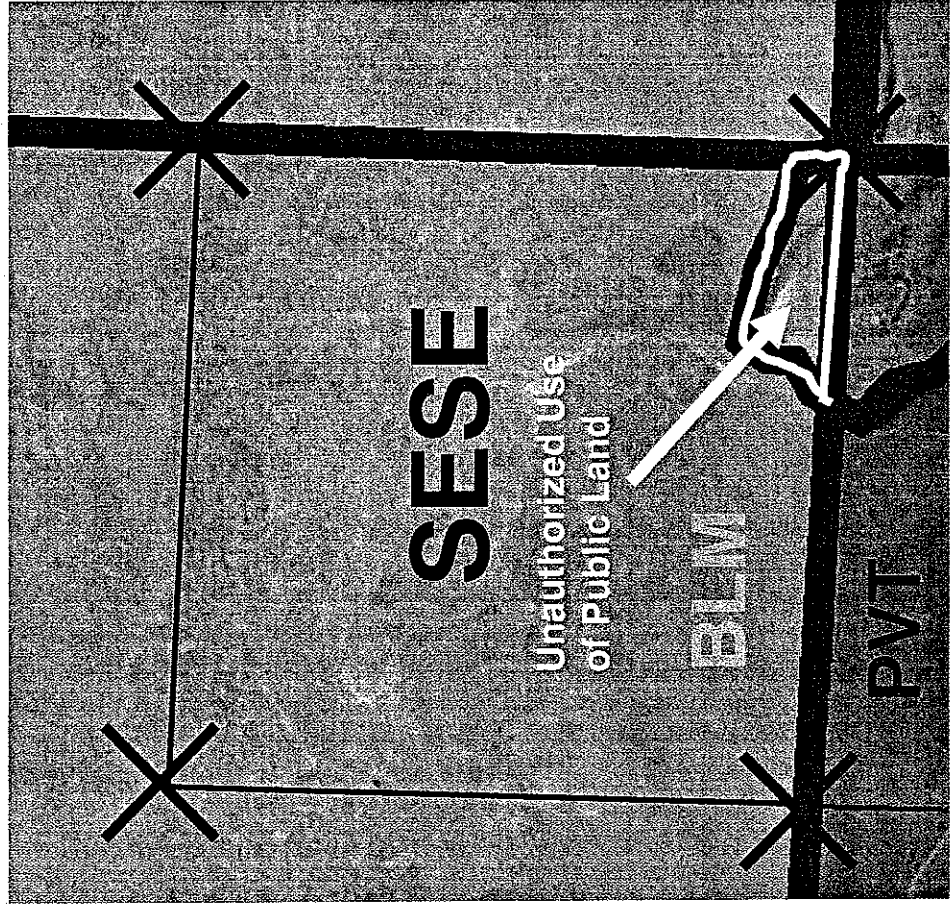
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37-00059M, 37-00327, & 37-00329

William and Karen A. Arkoosh

T05S, R16E, S22, SESE

Town	Rang	Subcase	Sect	QQ	Quar	Bas	Gov	Mix	PVT	BLM	FS	BOR	Other Fed	State	Own Comment
05S	16E	37-00059M	22	SE	SE	37		☐	☐	☒	☐	☐	☐	☐	Unauthorized Use
05S	16E	37-00327	22	SE	SE	37		☐	☐	☒	☐	☐	☐	☐	Unauthorized Use
05S	16E	37-00329	22	SE	SE	37		☐	☐	☒	☐	☐	☐	☐	Unauthorized Use



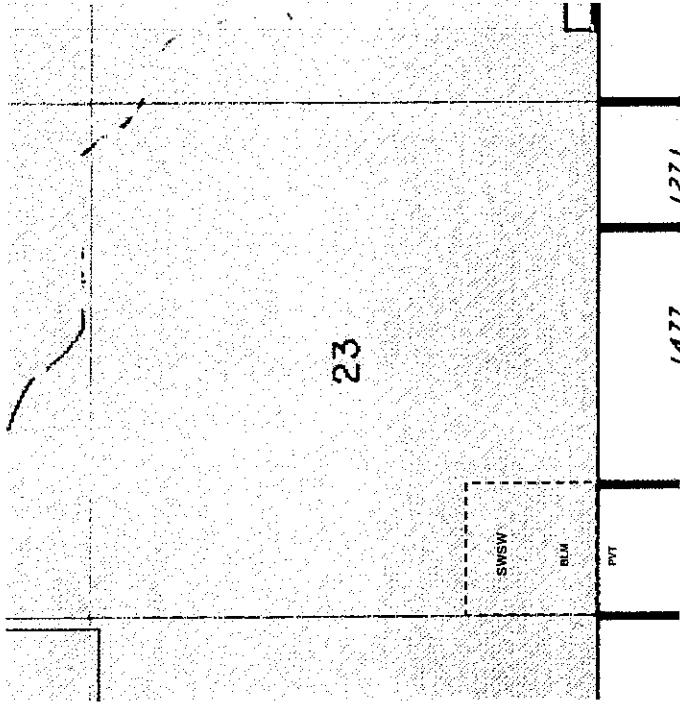
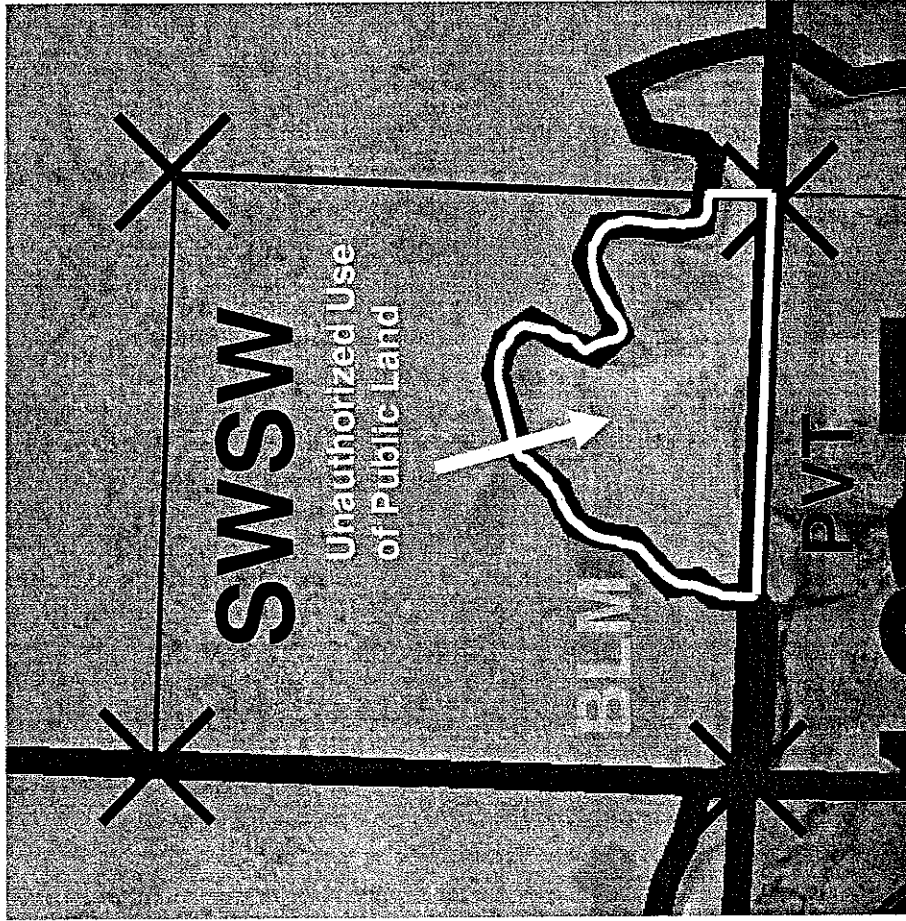
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37-00059M, 37-00327, & 37-00329

William and Karen A. Arkoosh

T05S, R16E, S23, SWSW

Town	Rang	Subcase	Sect	QQ	Quar	Bas	Gov	Mix	PVT	BLM	FS	BOR	Other	Fed	State	Own	Comment
05S	16E	37-00059M	23	SW	SW	37		☐	☐	☒	☐	☐	☐	☐	☐		Unauthorized Use
05S	16E	37-00327	23	SW	SW	37		☐	☐	☒	☐	☐	☐	☐	☐		Unauthorized Use
05S	16E	37-00329	23	SW	SW	37		☐	☐	☒	☐	☐	☐	☐	☐		Unauthorized Use



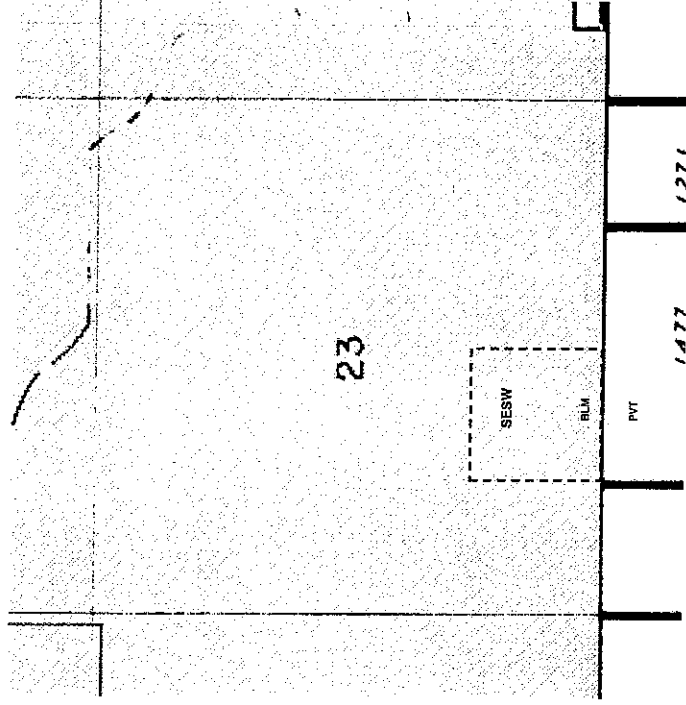
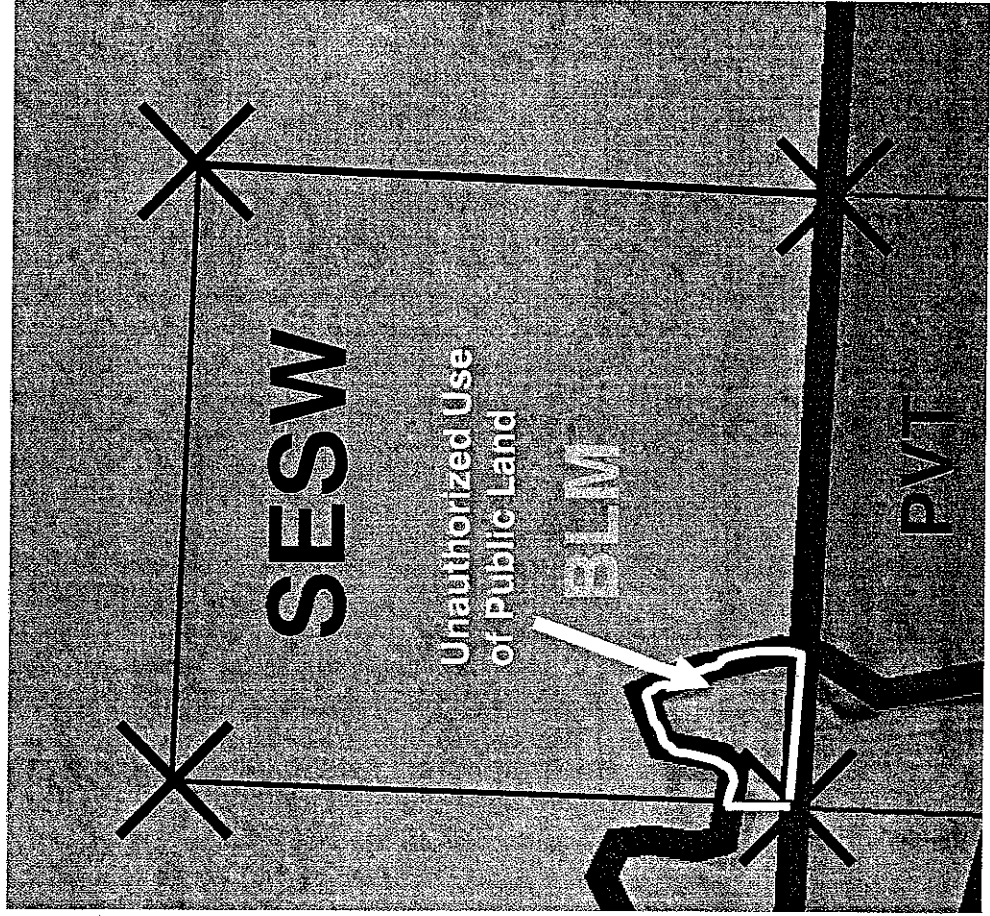
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37-00059M, 37-00327, & 37-00329

William and Karen A. Arkoosh

T05S, R16E, S23, SESW

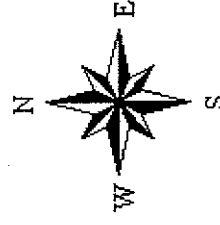
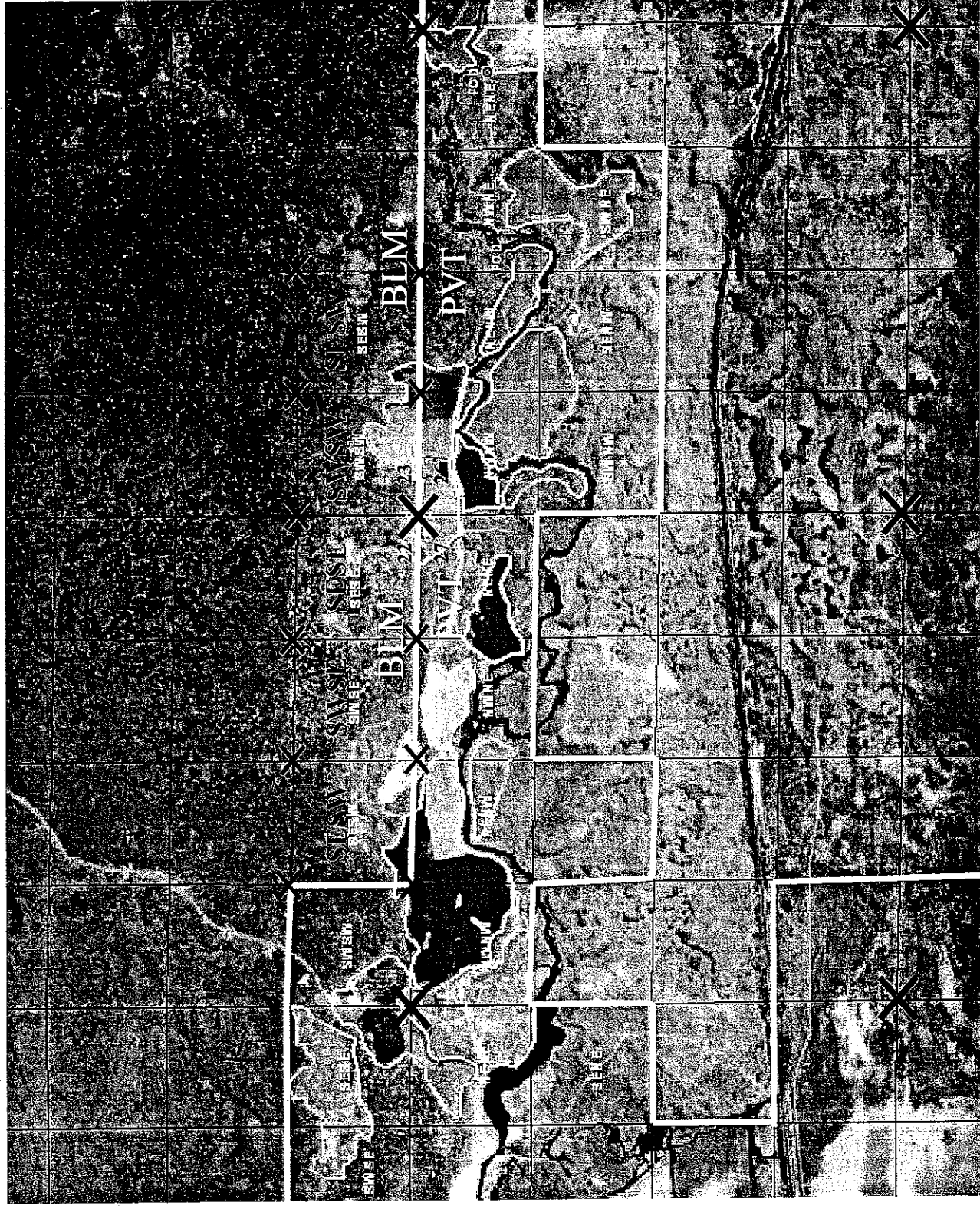
Town	Range	Subcase	Sect	QQ	Quar	Bas	Gov	Mix	PVT	BLM	FS	BOR	Other Fed	State	Own Comment
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05S	16E	37-00327	23	SE	SW	37		☐	☐	☒	☐	☐	☐	☐	Unauthorized Use
05S	16E	37-00329	23	SE	SW	37		☐	☐	☒	☐	☐	☐	☐	Unauthorized Use



Shape should be corrected to eliminate the intrusion on Public Land. This change should reduce acreage. quantity may also need to be proportionally reduced to reflect the acreage change.

37-59M 37-327 & 37-329

T05S R16E
S21 S22 S23
S26 S27 & S28



2000 0 2000 4000 6000 Feet

Map prepared by: Carter Fritschle
Date prepared: 10/17/03 - Revised 11/12/04
1987-1988 NAPP photography
Idaho Department of Water Resources

TOWNSHIP 5 SOUTH RANGE 16 EAST OF THE BOISE MERIDIAN, IDAHO

SHOSHONE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

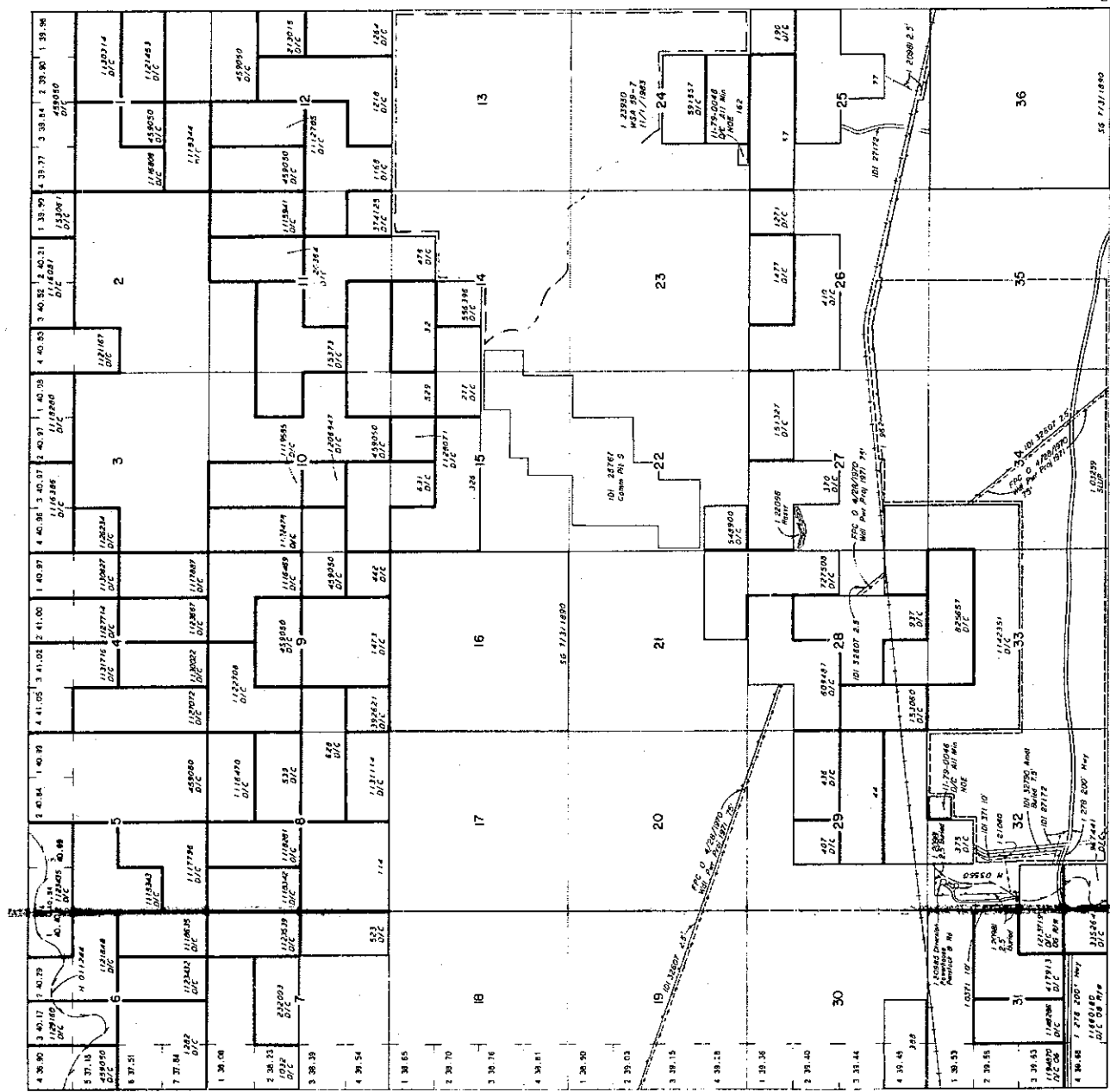
INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
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2	5	16	3
3	5	16	3
4	5	16	3
5	5	16	3
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32	5	16	3
33	5	16	3
34	5	16	3
35	5	16	3
36	5	16	3

W. 04352 American Falls Reg. Dist. No. 2
TRACT OF CONY 3/11/1915 affects land in
SECS 1 TO 12 T. 5N. R. 16E.
SECS 11, 12

W. 05243 Shoshone Reg. Dist. No. 2
TRACT OF CONY 3/11/1915 affects land in
SECS 1 TO 12 T. 5N. R. 16E.
SECS 11, 12

W. 05243 Shoshone Reg. Dist. No. 2
TRACT OF CONY 3/11/1915 affects land in
SECS 1 TO 12 T. 5N. R. 16E.
SECS 11, 12

W. 05243 Shoshone Reg. Dist. No. 2
TRACT OF CONY 3/11/1915 affects land in
SECS 1 TO 12 T. 5N. R. 16E.
SECS 11, 12



047 GOODING COUNTY LINCOLN COUNTY 063

SCALE IN CHAINS
0 10 20 30 40

WARNING STATEMENT
This plat is the result of a survey conducted by the
Bureau of Land Management, U.S. Department of the Interior.
It is a public document and its contents should be used
as a guide only. It does not constitute a warranty of
accuracy or a guarantee of title. It is the responsibility
of the user to verify the information contained herein
with the official survey records.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL
DRAWAL ORDER

CURRENT TO		CURRENT TO	
TRACT NO.	DATE	TRACT NO.	DATE
1	11/1/1915	1	11/1/1915
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36	11/1/1915	36	11/1/1915

047 GOODING COUNTY LINCOLN COUNTY 063