

RECEIVED
MAR 16 2006
DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
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 Case No. 39576)
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A. Subcase Number: 27-07121
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

B. NAME AND ADDRESS OF PERSON OBJECTING

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General

Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449

Attorney Phone No. (208) 334-2400

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

Name: P4 Production LLC
Address: PO Box 816
Soda Springs, ID 83276

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: The State of Idaho, Department of Lands, should be the only owner for the land that it owns the mineral rights.
2. ☒ **Source**
Should be: See Attachment I.
3. ☒ **Quantity**
Should be: See Attachment I.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: Not applicable.
7. ☒ **Purpose(s) of Use**
Should be: See Attachment I.
8. ☒ **Period of Year**
Should be: See Attachment I.
9. ☒ **Place of Use**
Should be: See Attachment I.
10. ☒ **Other Provisions**
Should be: See Attachment I

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 recommendation of the Idaho Department of Water Resources describes the lessee of the State of Idaho, Department of Lands, hereinafter "IDL", as the owner of a water right developed on land owned by IDL. The IDL should be the sole owner of the water right on State Land. Since the IDL owns only a portion of the place of use, the water right needs to be split to reflect this divided ownership. Attachment I describes the water right for the land owned by the State of Idaho. In addition, the source, purpose and period of use, and "OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT" contain some provisions that the Snake River Basin District Court has not included in its description of water rights. This Objection requests the deletion of these provisions.

F.

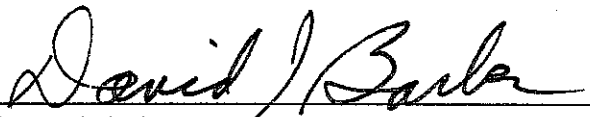
VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

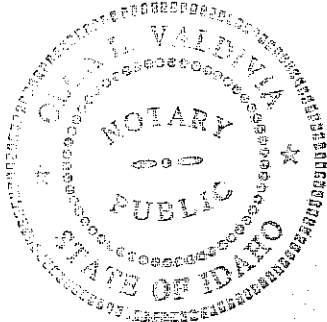
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

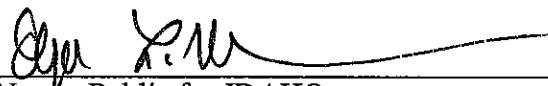
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have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

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: March 15, 2006
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/15/2012

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 15, 2006, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

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

State of Idaho,
Department of Lands
954 W. Jefferson
P. O. Box 83720
Boise, ID 83720—0050

STATEHOUSE MAIL

3. Copies to:

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

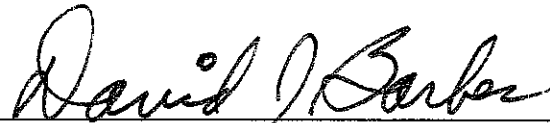
STATEHOUSE MAIL

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

U.S. MAIL

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

(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf

ATTACHMENT I

RIGHT NUMBER: 27-7121A
 NAME AND ADDRESS: PR PRODUCTION LLC
 PO BOX 816
 SODA SPRINGS ID 83726

STATE OF IDAHO
 DEPT OF LANDS
 954 W. JEFFERSON
 PO BOX 83720
 BOISE ID 83720-0050

SOURCE

GROUND WATER

TRIBUTARY

~~Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.~~

QUANTITY:

~~0.070-0.020~~ CFS
~~50.60-14.45~~ AFY

PRIORITY DATE:

02/09/1978

POINT OF
 DIVERSION:

T06S R43E S36 NWNE Within CARIBOU County

This right does not grant any right-of-way or easement across the land of another

PURPOSE AND
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>		<u>QUANTITY</u>
DOMESTIC	01/01	12/31	~~0.020-0.006~~ CFS ~~1.20-0.34~~ AFY
MINING	03/01	10/01	~~0.070-0.020~~ CFS ~~50.60-14.11~~ AFY

~~Prior to diversion and use of water under this right, the right holder shall comply with all bonding requirements of appropriate governmental entities.~~

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

PLACE OF USE:

MINING Within CARIBOU County

T06S	R43E	S21	NENE	T06S	R43E	S21	NWNE
T06S	R43E	S21	SWNE	T06S	R43E	S21	SENE
T06S	R43E	S21	NENW	T06S	R43E	S21	NWNW
T06S	R43E	S21	SWNW	T06S	R43E	S21	SENW
T06S	R43E	S21	NESW	T06S	R43E	S21	NWSW
T06S	R43E	S21	SWSW	T06S	R43E	S21	SESW
T06S	R43E	S21	NESE	T06S	R43E	S21	NWSE
T06S	R43E	S21	SWSE	T06S	R43E	S21	SESE
T06S	R43E	S36	NENE	T06S	R43E	S21	NWNE
T06S	R43E	S36	SWNE	T06S	R43E	S36	SENE

T06S	R43E	S36	NENW	T06S	R43E	S36	NWNW
T06S	R43E	S36	SWNW	T06S	R43E	S36	SENW
T06S	R43E	S36	NESW	T06S	R43E	S36	NWSW
T06S	R43E	S36	SWSW	T06S	R43E	S36	SESW
T06S	R43E	S36	NESE	T06S	R43E	S36	NWSE
T06S	R43E	S36	SWSE	T06S	R43E	S36	SESE

DOMESTIC same as MINING

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

~~The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.~~

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

~~Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.~~

~~Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM -- License

NOTE: Land not owned by the State of Idaho was completely deleted from the authorized place of use without strikeout notation.