

**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 27-04102
(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: Eastern Idaho Grazing Assn.
Address: P.O. Box 308; Blackfoot, Idaho 83221-0308
Name: c/o Wendy Pratt
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: See attached.
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):

There is no evidence that the claimant, or his predecessors, satisfied the test for a valid appropriation of water, where point(s) of diversion and/or place(s) of use are designated on federal public land. The claimant does not have a valid water right with the elements as recommended. Perhaps this is a typographical error.

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)

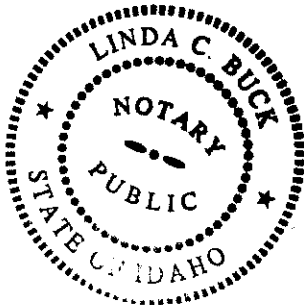
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Daniel Meyer for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on.

March 15, 2006
Linda C. Buck
Linda C. Buck



Notary Public for 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 3-16, 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:

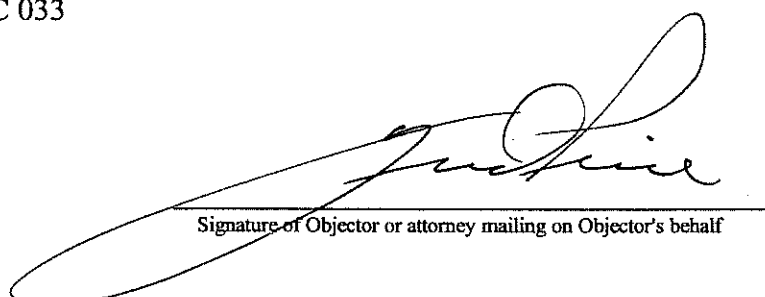
Name: Eastern Idaho Grazing Assn.
Address: P.O. Box 308; Blackfoot, Idaho 83221-0308
Name: c/o Wendy Pratt
Address: ;
Name: ;
Address: ;
Name: ;
Address: ;

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

11/09/2005

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

RIGHT NUMBER: 27-4102
NAME AND ADDRESS: EASTERN IDAHO GRAZING ASSN
C/O WENDY PRATT
PO BOX 308
BLACKFOOT ID 83221-0308

POD on BLM:
-Point of Diversion on BLM
appears to be a typo.

SOURCE: BRUSH CREEK
RAWLINS CREEK

TRIBUTARY: BLACKFOOT RIVER
TRIBUTARY: BRUSH CREEK

QUANTITY: 0.070 CFS

PRIORITY DATE: 05/24/1947

POINT OF
DIVERSION: T03S R39E S33 SWSW Begin of Stream Flow Within BINGHAM County
T03S R39E S33 SESE End of Stream Flow Within BINGHAM County
T03S R39E S34 SESW Begin of Stream Flow Within BINGHAM County
T04S R39E S12 SWNE Within BINGHAM County

BLM

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	05/01 11/01	0.070 CFS
Stockwater use is for 2250 range cattle and 8000 sheep.		

PLACE OF USE: STOCKWATER Within BINGHAM County

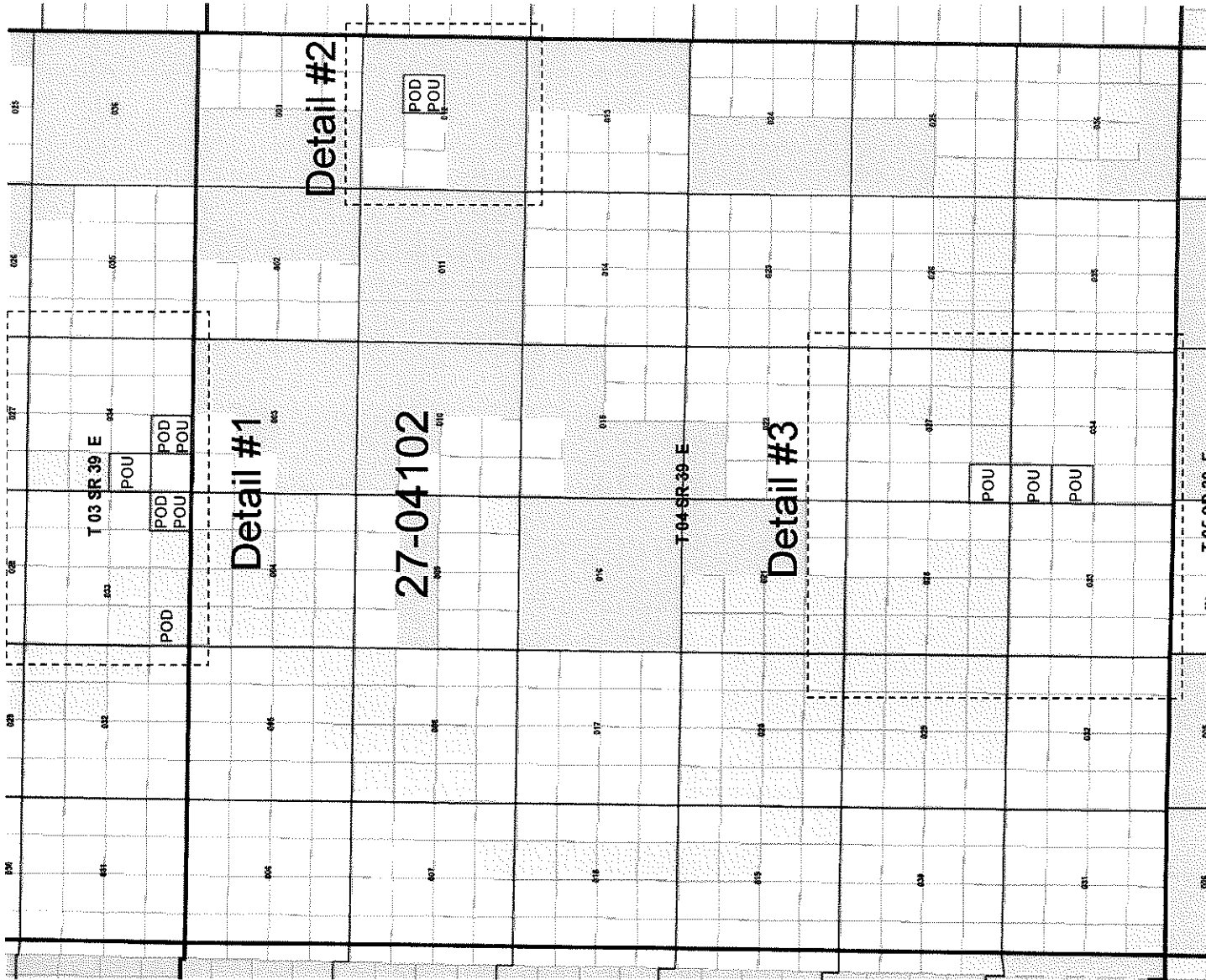
T03S R39E S33	SESE	T03S R39E S34	NWSW
T03S R39E S34	SESW	T04S R39E S12	SWNE
T04S R39E S27	SWSW	T04S R39E S34	NWNW
T04S R39E S34	SNNW		

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

CLAIM C/O TOM MOSS PLACE OF USE IS PART OF THE PARADISE
VALLEY ALLOTMENT - 11,840 ACRES.

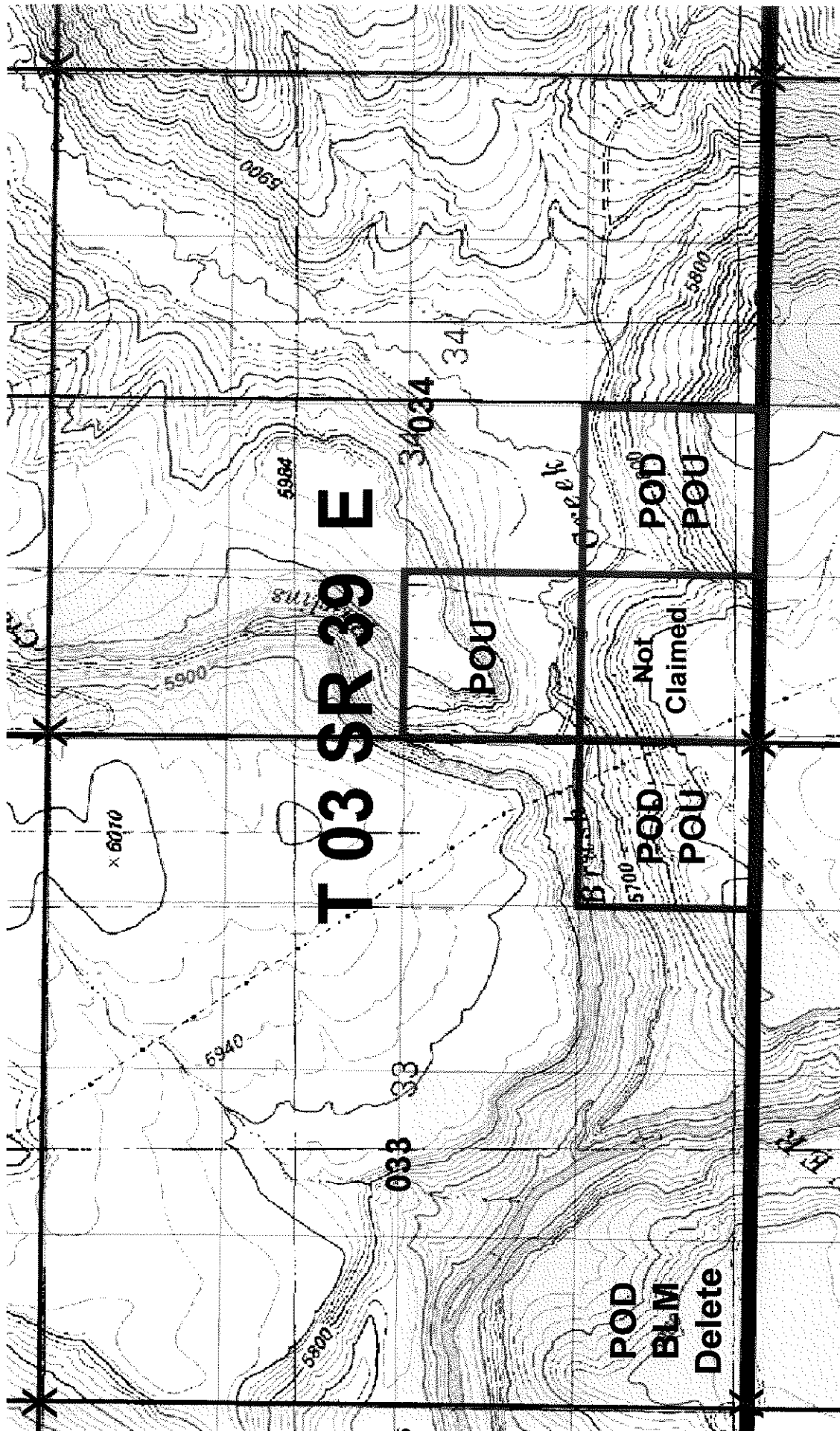
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

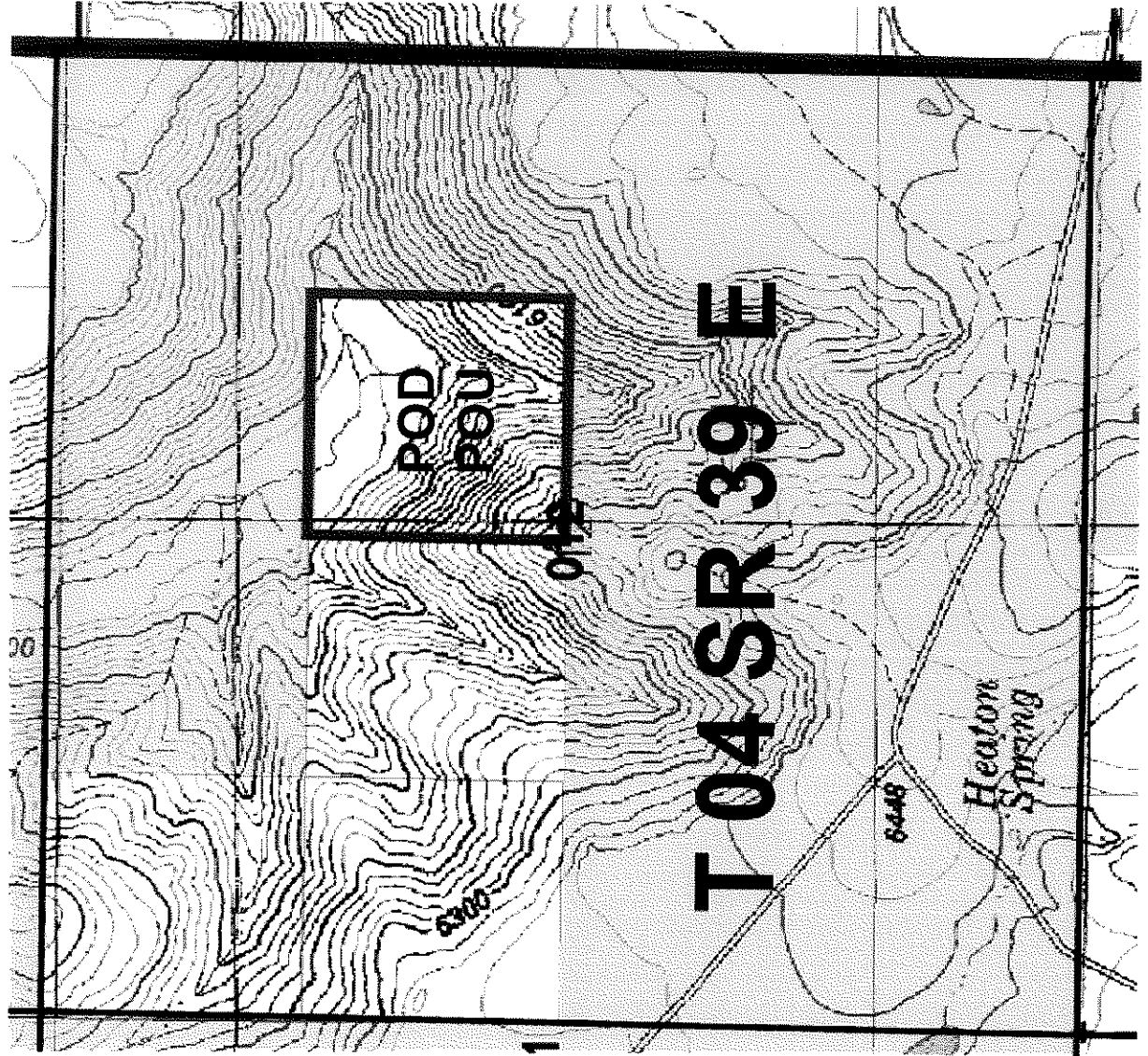


27-04102

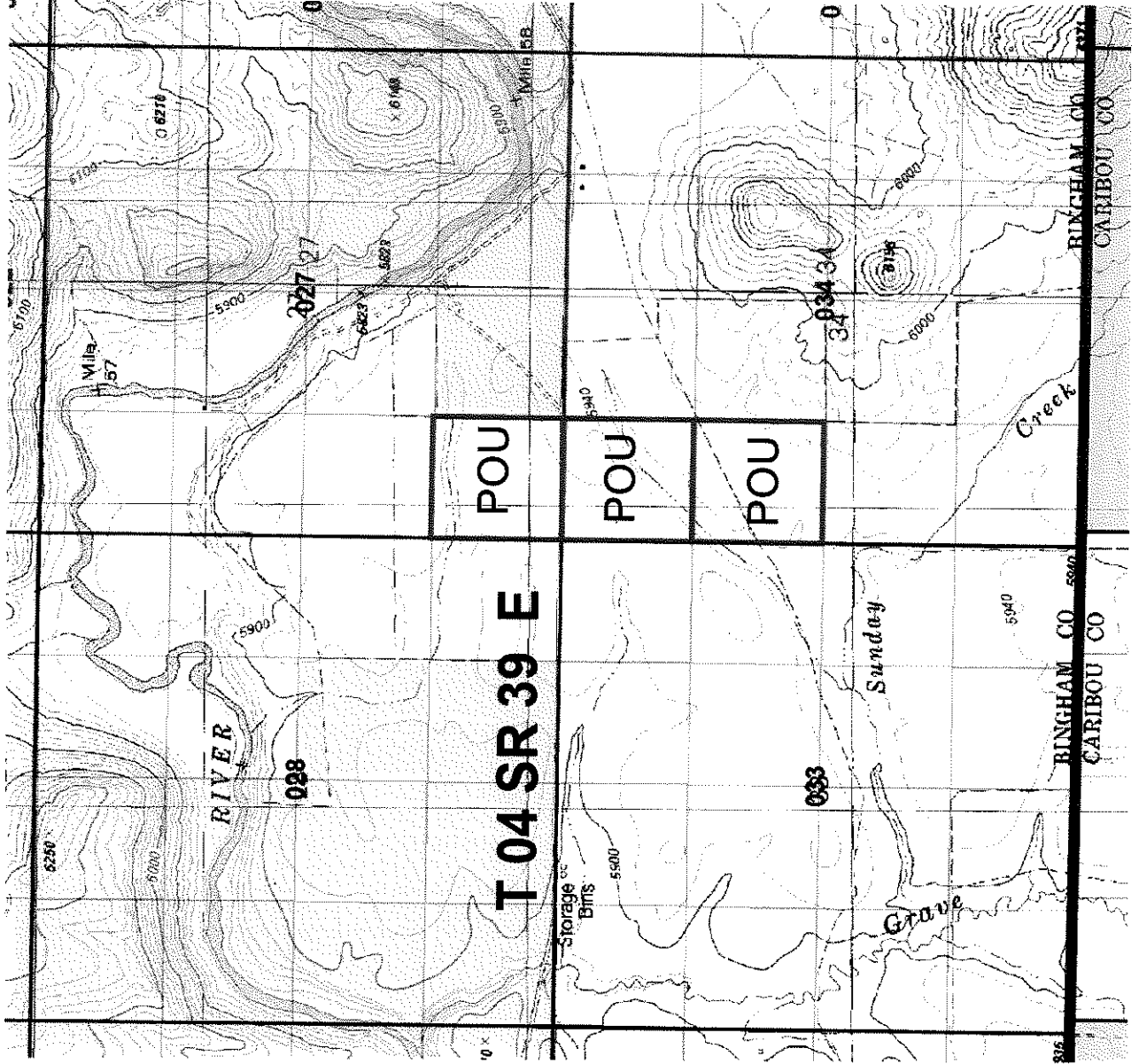
Detail #1



27-04102
Detail #2



27-04102
Detail #3



TOWNSHIP 3 SOUTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

BINGHAM COUNTY OIL

IDAHO FALLS DISTRICT SEC 15

POCATELLO BASIN

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

2 S-40 E

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC.
1	2	39	15
2	2	39	15
3	2	39	15
4	2	39	15
5	2	39	15
6	2	39	15
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33	2	39	15
34	2	39	15
35	2	39	15
36	2	39	15

SD 12/19/1922 Open to Entry Subj. to Sec. 24 PPA
Per S. Res. 165 EO 12/31/1912
Sec. 19: Lot 2, Sec. 16, T. 39N., R. 39E., S. 40E.
Sec. 20: SE 1/4, Sec. 16, T. 39N., R. 39E., S. 40E.
Sec. 32: 4E 1/4, Sec. 16, T. 39N., R. 39E., S. 40E.
Sec. 33: SE 1/4, Sec. 16, T. 39N., R. 39E., S. 40E.
T. 39N. R. 39E. S. 40E. BLM. NDE. (with) order issues
Sec. 33, SW 1/4, T. 39N., R. 39E., S. 40E.
Sec. 34, W 1/2, T. 39N., R. 39E., S. 40E.

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

CURRENT TO	1922
CURRENT TO	1922

USE PLATS
Lat 43°51'52" N
Long 111°45'30" W

WARNING STATEMENT
This plat is the Bureau's record of title, and should be used only as a guide. It is not a warranty of title. The Bureau does not warrant the accuracy of the survey data, and it is the responsibility of the user to verify the accuracy of the data. The Bureau is not responsible for any errors or omissions in this plat.

SCALE in Chains
0 10 20 30 40

SD 12/19/1922
Per S. Res. 165

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
T. 39 N. R. 39 E. S. 40 E. - THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

Base Mer
T. 39
S. 40
E. 40

POCATELLO RAH

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

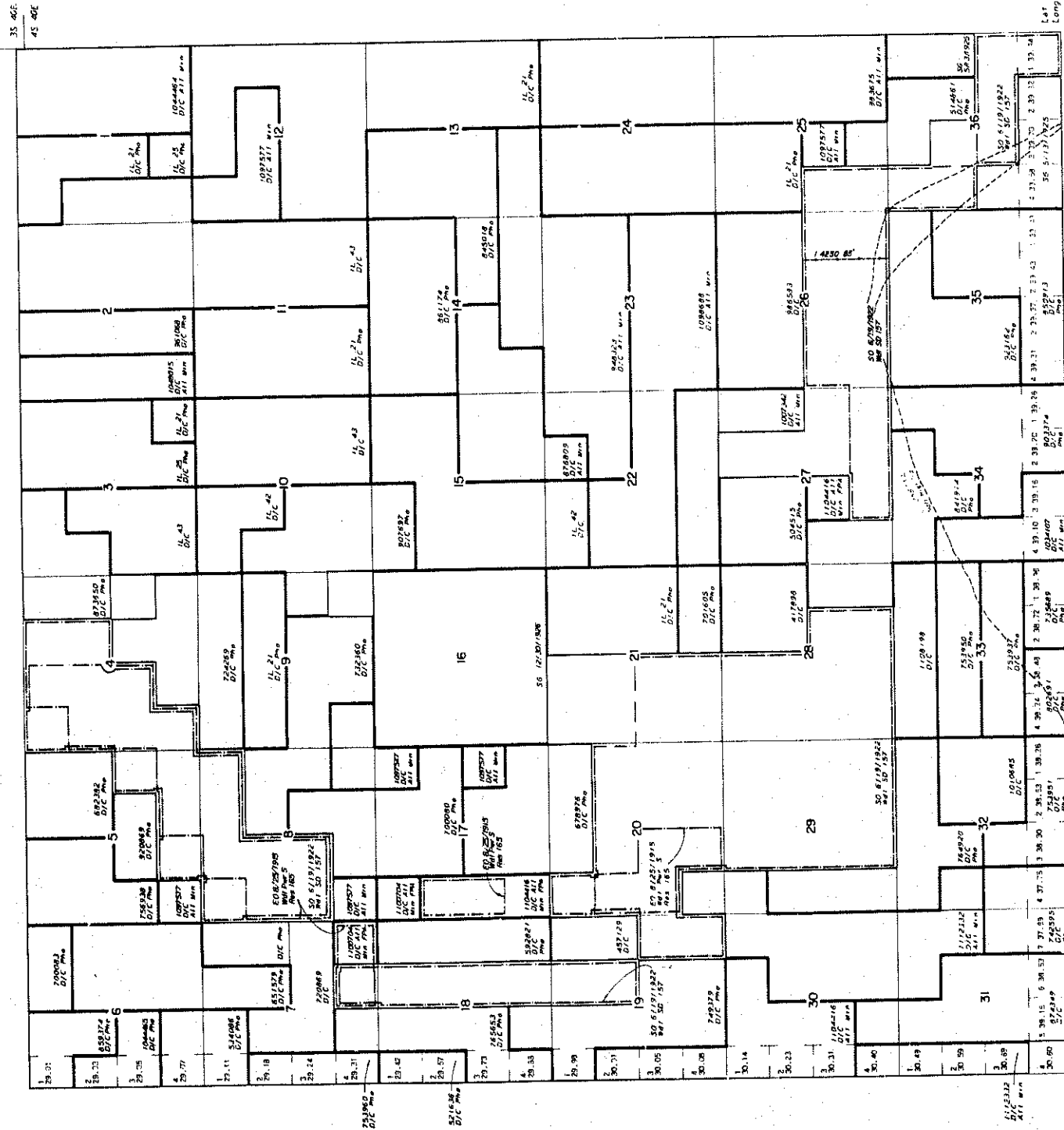
SO 12/19/1992 Open to Entry Subj 16 Sec 24 PPA
Per S Res 165 Ed 8/25/1915
Sec 4: MEWDS, SPANIS, MW5581
Sec 5: SE3641
Sec 7: 35343
Sec 8: NIMES, MEWDS, SPANIS, MW5581
Sec 17: SPANIS, MW5581
Sec 20: SPANIS
SO 5/11/1992 Open to Entry Subj 16 Sec 24 PPA Per
S Res 165 Ed 7/25/1915
Sec 20: 84581, SE3581

15 2523A Natl Hist Trail
Historical information only, does not denote
public access

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

USE PLATS.	
CURRENT TO	CURRENT TO
NOV 13 2000	

Boise Mer
T. 4S
R. 39E



WARNING STATEMENT

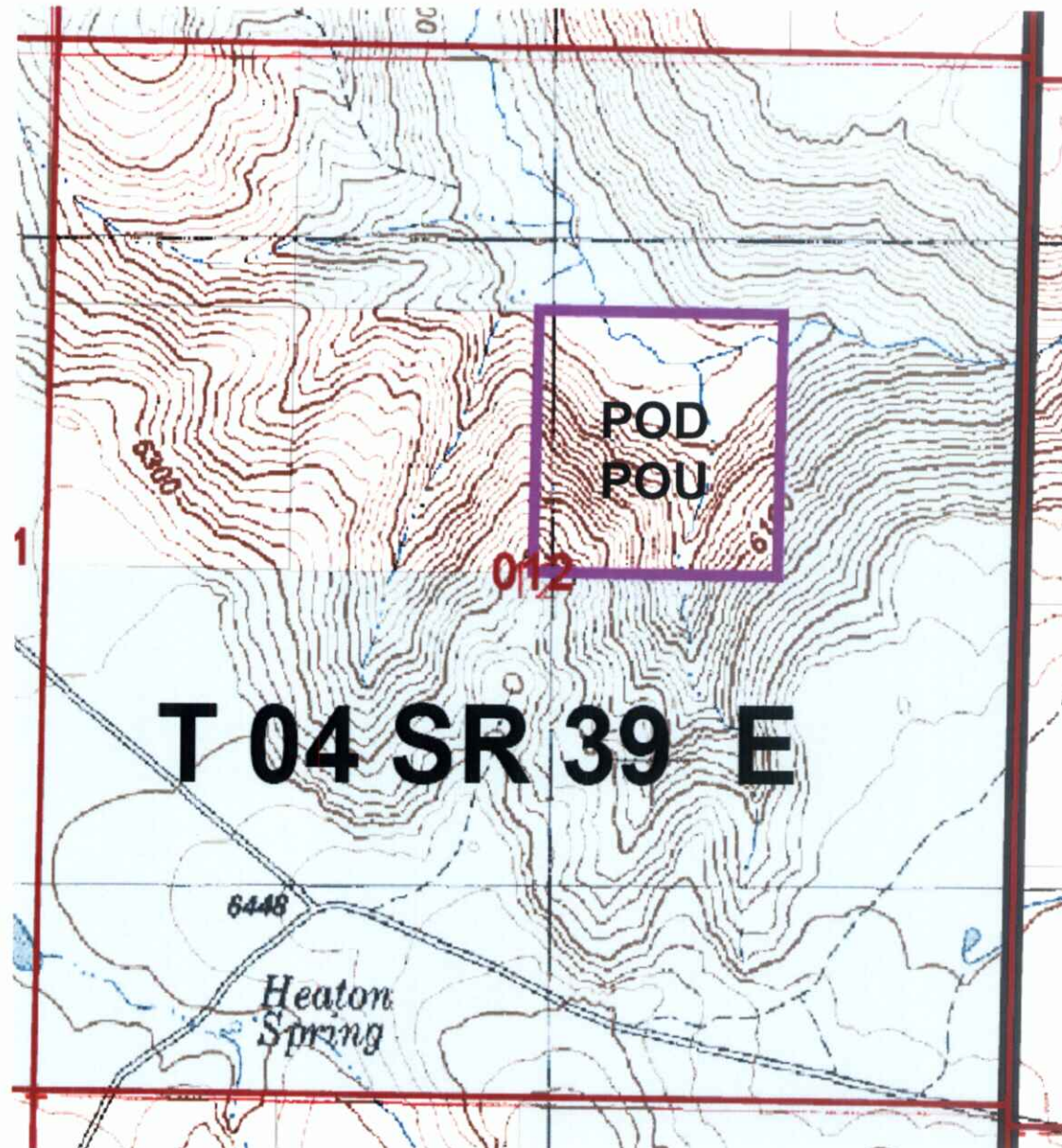
This plot is the Bureau's Report of Time and should be used only as a graphic display of the membership activity data. Records herein do not reflect actual changes which may have occurred between the time of the survey and the date of the report.

SALES IN CHOICES

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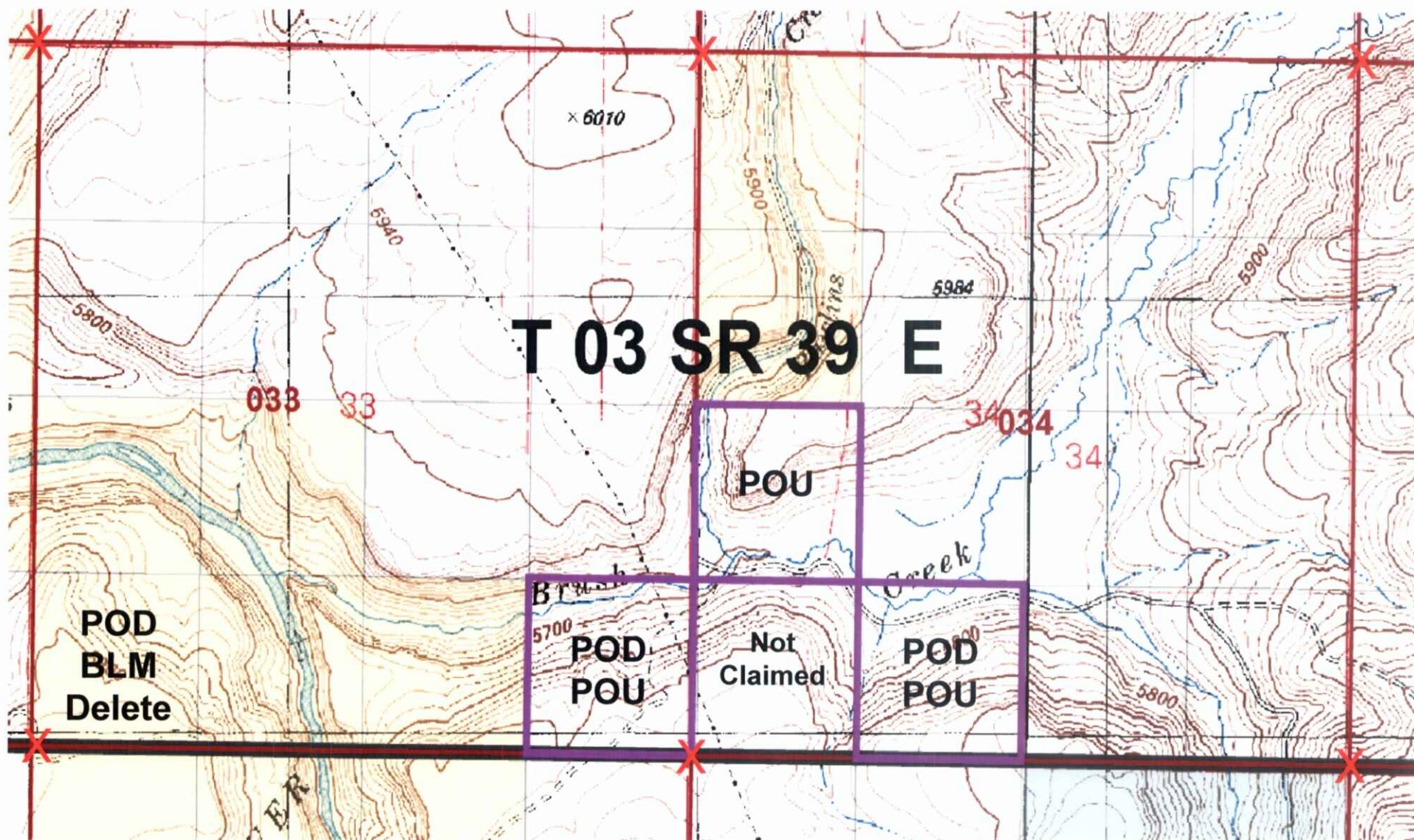
27-04102

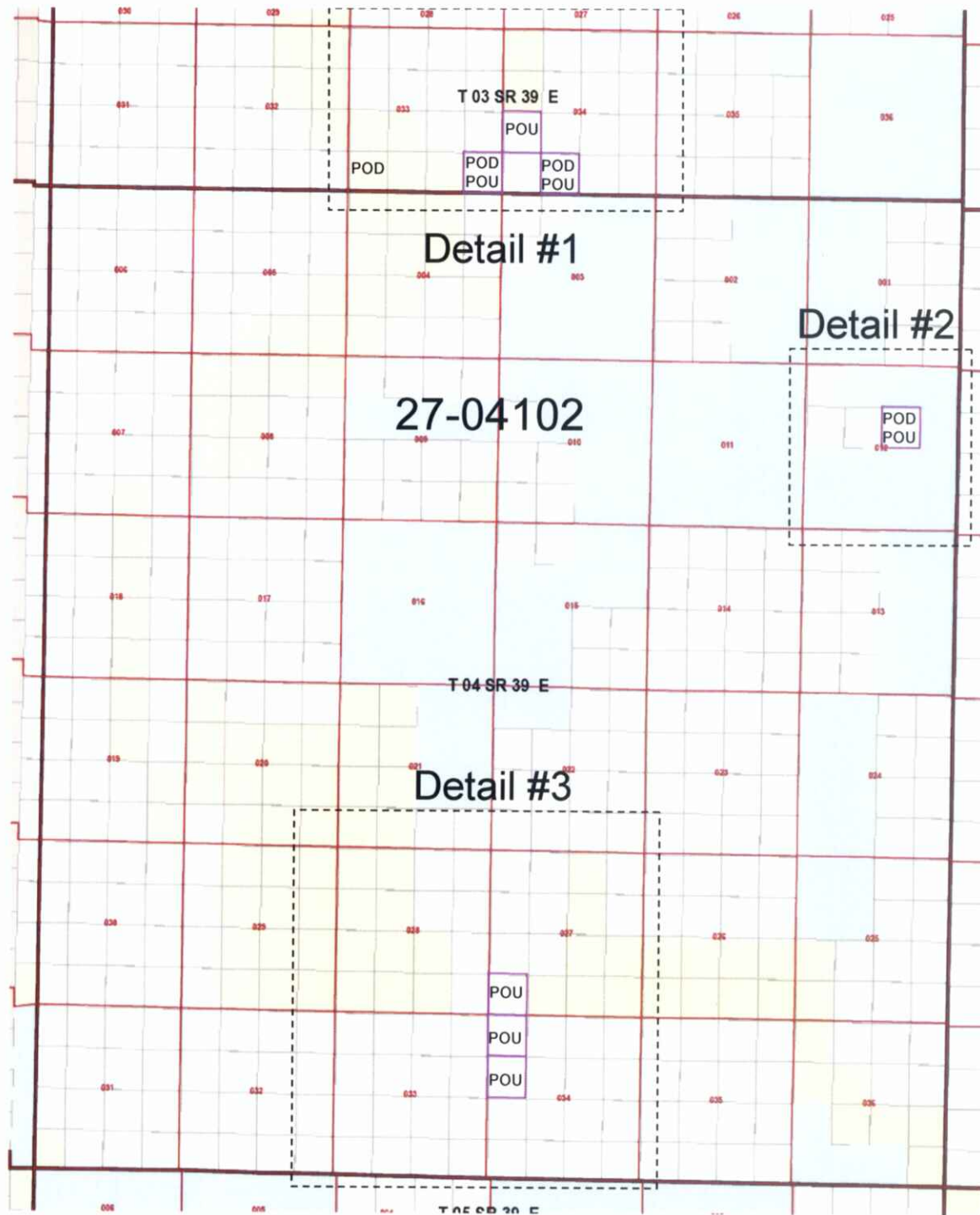
Detail #2



27-04102

Detail #1





Detail #3

