

**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 27-10296
(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: David A. and Kathy Daniels
Address: 436 West Riverton Road; Blackfoot, Idaho 83221

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 legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

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)

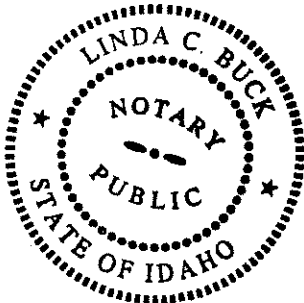
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

David Nye FR 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: David A. and Kathy Daniels
Address: 436 West Riverton Road; Blackfoot, Idaho 83221

Name:
Address: ;

Name:
Address: ;

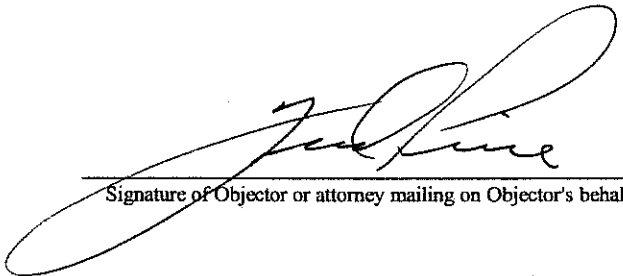
Name:
Address: ;

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

11/09/2005

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

RIGHT NUMBER: 27-10296
NAME AND ADDRESS: KATHY DANIELS
436 WEST RIVERTON ROAD
BLACKFOOT ID 83221
DAVID A. DANIELS
436 WEST RIVERTON ROAD
BLACKFOOT ID 83221

MIXED POUS:

-THE PLACE OF USE IDENTIFIED BELOW CONTAINS
BOTH PRIVATE AND PUBLIC LANDS.
-USE IS ACTUALLY OCCURRING ON PRIVATE LAND
AND SHOULD BE DESCRIBED USING LOTS.

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.870 CFS

PRIORITY DATE: 05/01/1885

POINT OF
DIVERSION: T03S R35E S9 SWSENE Lot 1 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.870 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

**Mixed
Ownership
Descriptions**

T03S R35E S08	SWNW	3.1	T03S R35E S08	SENW	27.7
---------------	------	-----	---------------	------	------

30.8 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH MINERS DITCH.

This right is a split from former right 27-3.

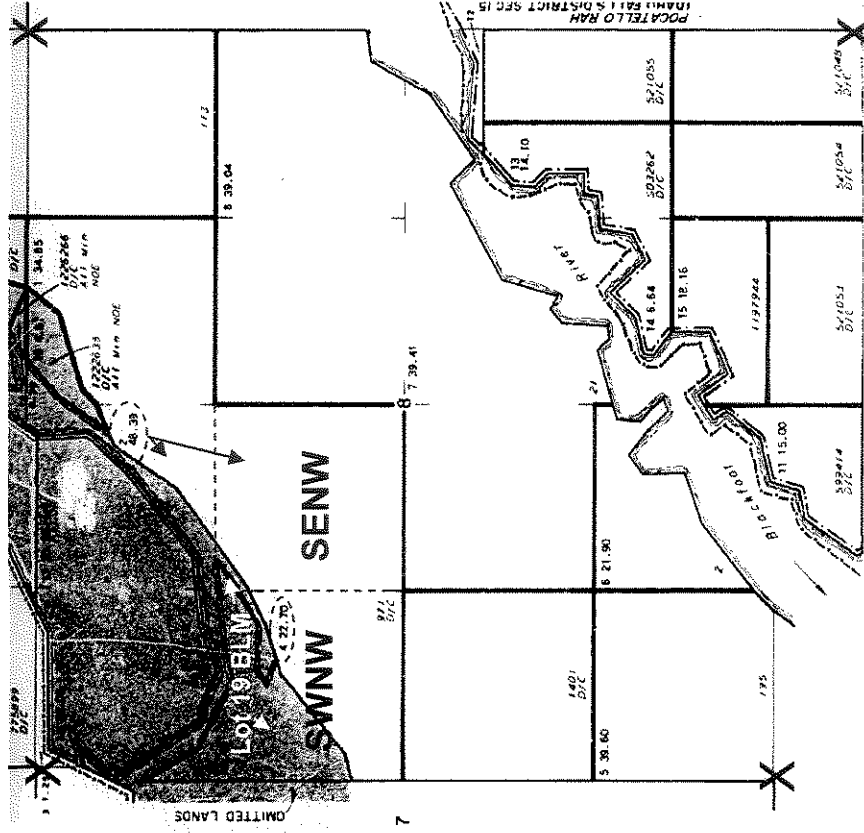
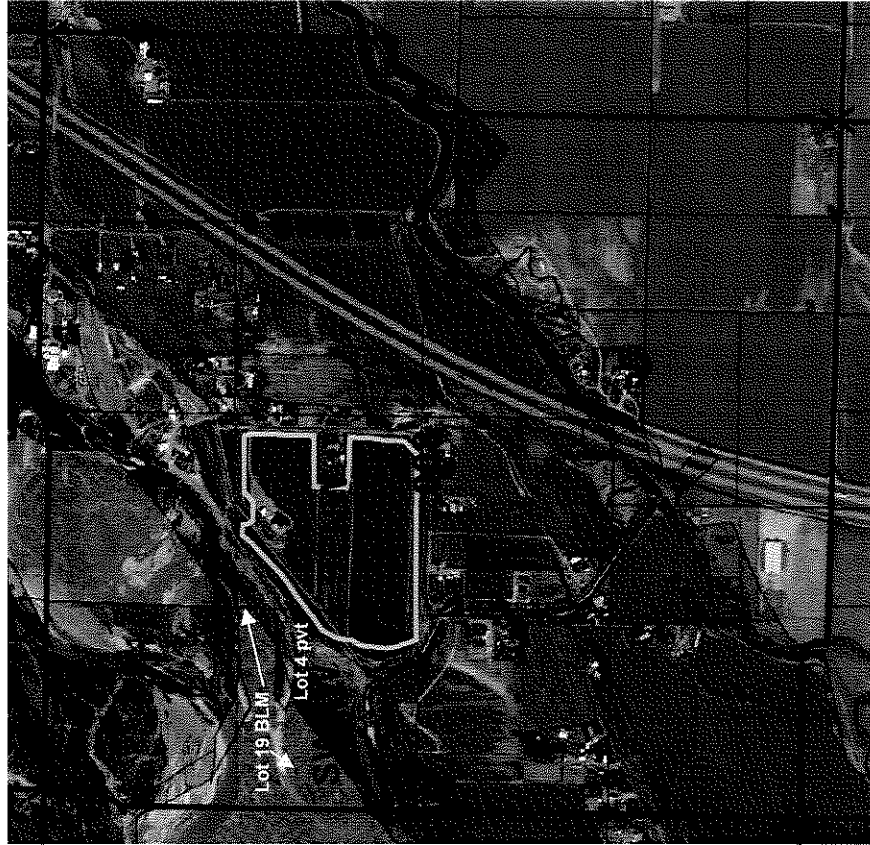
T03S R35E S08 Lot 4 (SWNW) 3.1

T03S R35E S08 Lot 2 (SENW) 27.7

Clarifying SWNW as Lot 4 (SWNW) and SENW as Lot 2 (SENW) would
resolve BLM's objection

27-10296

T03S R35E S08



MT PLAT

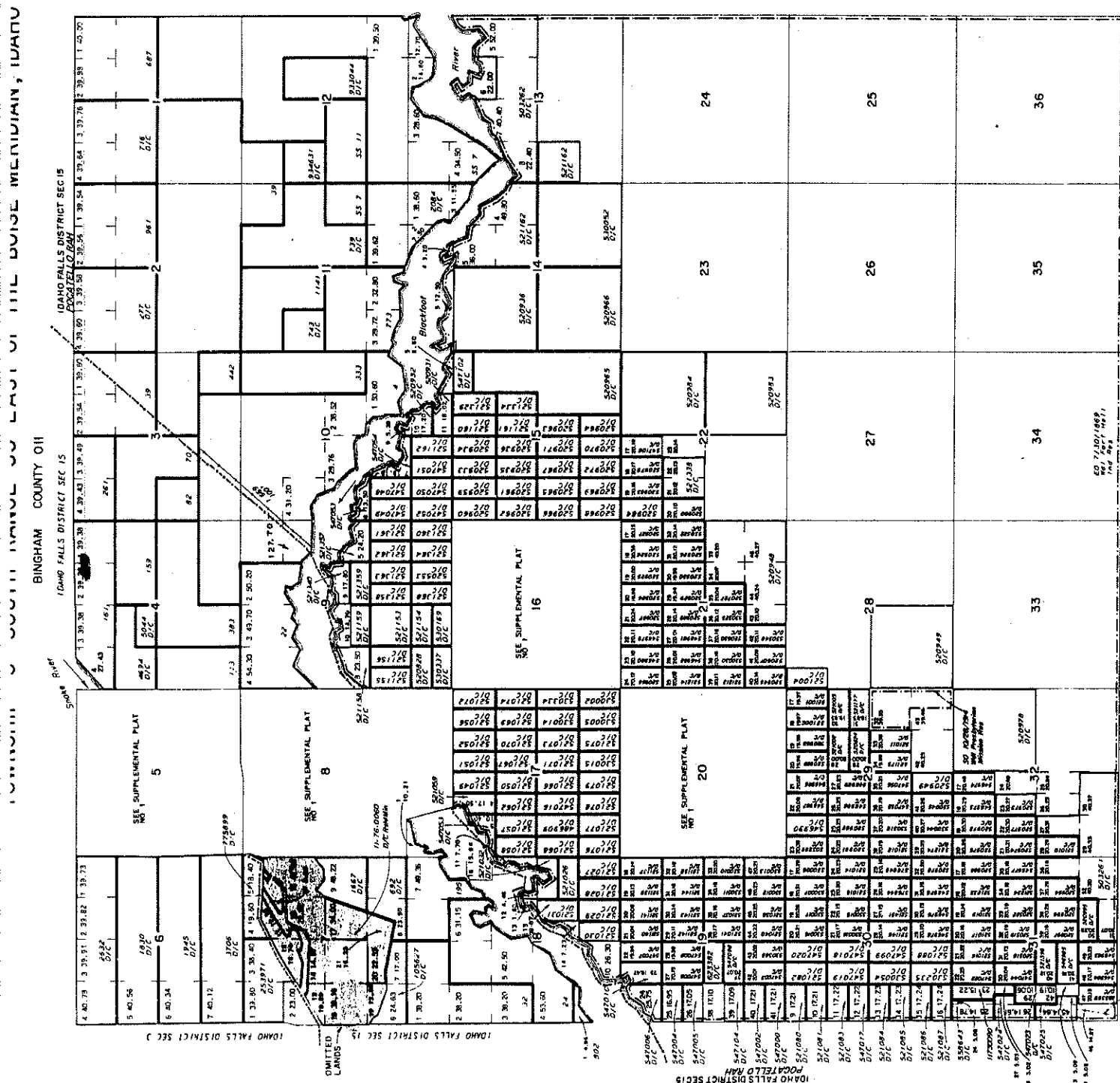
[illegible]

ED 78080 4/15/1936 Trf Juris of Acq Lands from
Dept of Agri to Dept of Int
All land lying within Fort Hall and Res
2 2323 offer of omitted lands to Preference
Right Claimants pursuant to Act of Cong 5/31/1906
Sec 5: Lots 10, 17
Sec 7: Lots 17, 20, 21
Survey Pending Group No. 894
Partial To

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

USE PLATS:	CURRENT TO	CURRENT TO
	DEC 1 1966	

Bois de Mer
T. 35
R. 35E



WARNING STATEMENT

This plot is the Bureau's record of Title, and should be used accordingly as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

SCALE in Chains

[illegible]

27-10296
T03S R35E S08

