

7

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)

A. Subcase 29-04168

(Insert water right number)

Case No. 39576)

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: Nancy Armstrong

Address: P.O. Box 1441; Olympia, WA. 98507

Name:

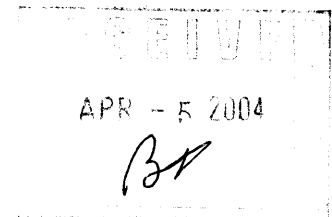
Address: ;

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: 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):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which the POD is claimed. The POD recommended appears to be abandoned due to non-use.

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)

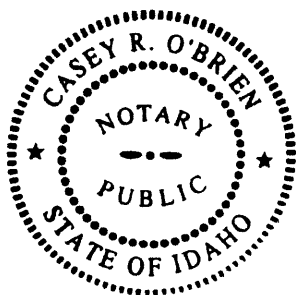
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge,

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 11/05/03

Casey R. O'Brien
Notary Public in and for the State of Idaho
Residing at: Nampa, ID.
My Commission Expires: 10-31-2009



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 Nov. 13, 2003, 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:

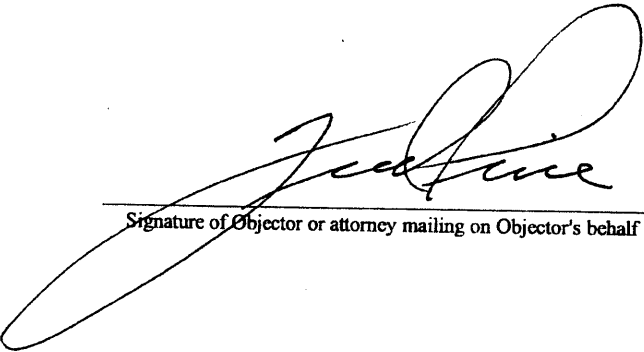
Name: Nancy Armstrong
Address: P.O. Box 1441; Olympia, WA. 98507
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

07/10/2003

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

RIGHT NUMBER: 29-4168

NAME AND ADDRESS: NANCY ARMSTRONG
PO BOX 1441
OLYMPIA WA 98507

SOURCE: LAWRENCE CREEK

TRIBUTARY: SINKS

QUANTITY: 0.380 CFS

PRIORITY DATE: 04/01/1905

POINT OF
DIVERSION: T09S R36E S31 NWSENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS.
IRRIGATION	04/01 10/31	0.380 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T09S R36E S32 SESE 29.0

STOCKWATER same as IRRIGATION

29 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

POD ON BLM

- THE POINT OF DIVERSION LISTED BELOW IS ON FEDERAL PUBLIC LAND.
 - THE POINT OF DIVERSION APPEARS TO BE ABANDONED
 - THIS WATER RIGHT SHOULD NOT EXIST
- T09S R36E S31 NWSENW

All pictures taken on BLM Land

T9S R36E S31
NWSENW



9/2/2003 1:57:21 PM

original
creek
bed

#94

ditch

original
creek
bed

ditch



9/2/2003 1:58:29 PM

#95

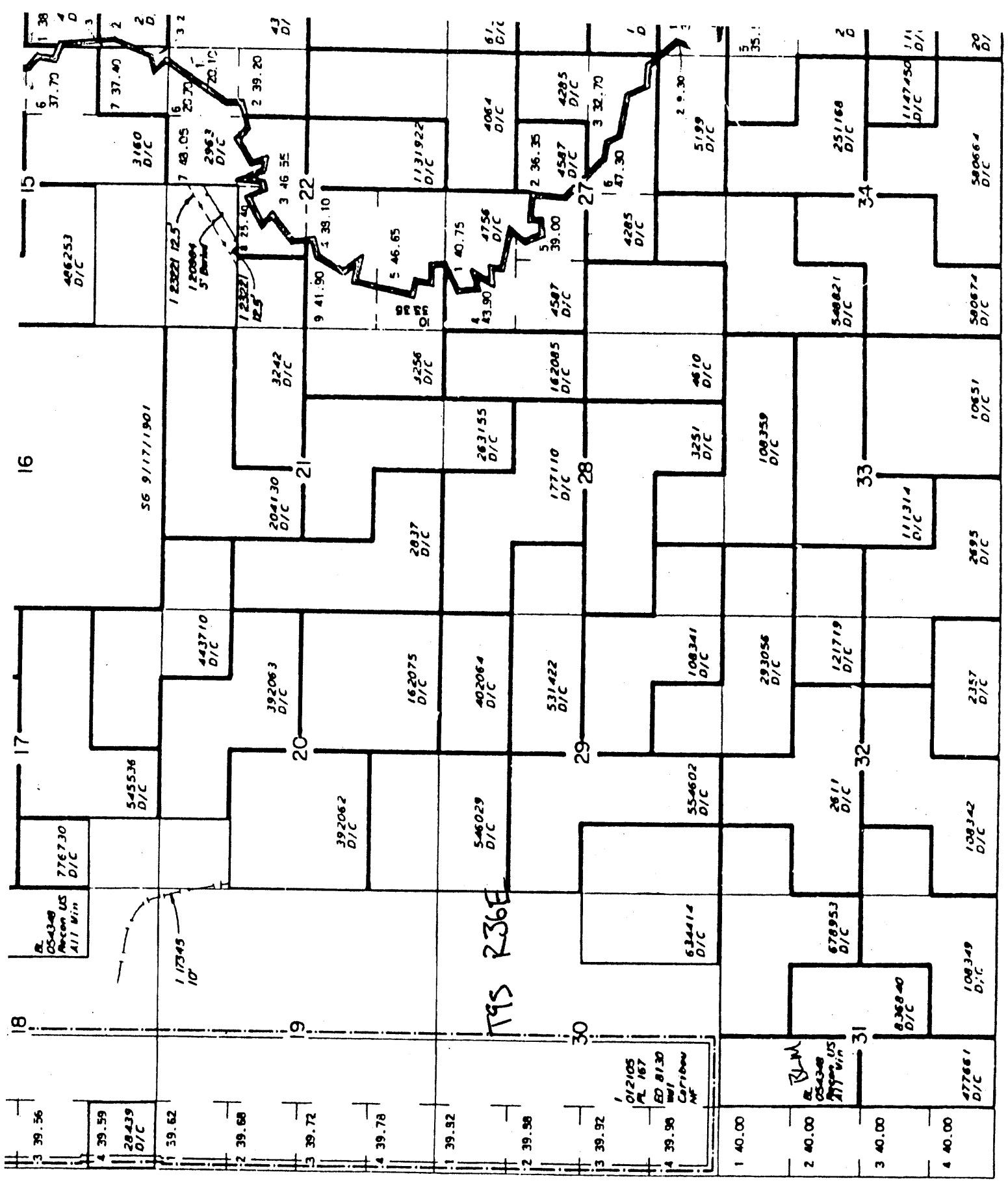


9/2/2003 1:59:12 PM

#96

ditch

creek



T95 R36E

012105
PL 167
ED 8130
Wet
Caribou
NF

BLM
0543-08
Bureau of
Land Management

TOWNSHIP 9 SOUTH RANGE 36 EAST OF THE BOISE MERIDIAN, IDAHO

BANNOCK COUNTY OOS
IDAHO FALLS DISTRICT SEC 3
POCITELLO RAN

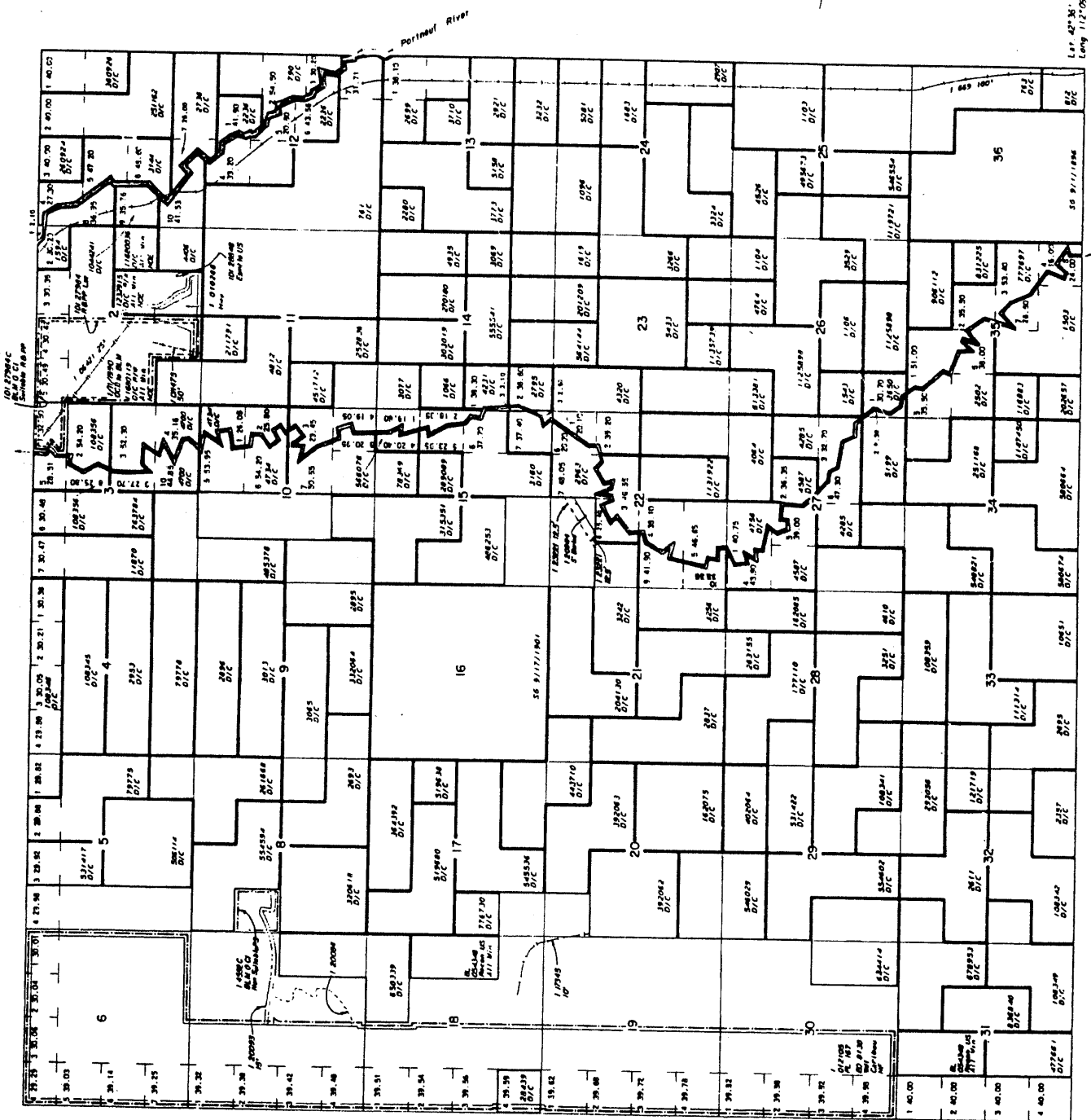
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC.
1	9	36	1
2	9	36	2
3	9	36	3
4	9	36	4
5	9	36	5
6	9	36	6
7	9	36	7
8	9	36	8
9	9	36	9
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32	9	36	32
33	9	36	33
34	9	36	34
35	9	36	35
36	9	36	36

1 01205 Dep PL 167 (Act of Cong 7/23/1955)
completed 6/20/1961, all of surface right by USFS

- 1 19479 31 Dec 1947 (Act of Cong 7/23/1955)
- See 2: MT/1681/4
- See 3: Lot 1
- See 5: MT/201/2
- See 7: MT/1681/4
- See 8: MT/1681/4
- See 10: MT/1681/4
- See 15: MT/1681/4
- See 22: MT/201/2



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

CURRENT TO	CURRENT TO
JUL 8 1955	
USE PLATS	

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE ORIGINAL WITHDRAWAL FOR THE EFFECTIVE DATE.

SCALE IN FEET
0 100 200 300 400 500 600 700 800 900 1000