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APR 21 2006
DEPARTMENT OF
WATER RESOURCES

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 63-03280
(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: Lavar K. Thornton
Address: 2800 S. Ten Mile Road; Kuna, Idaho 83634

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

)

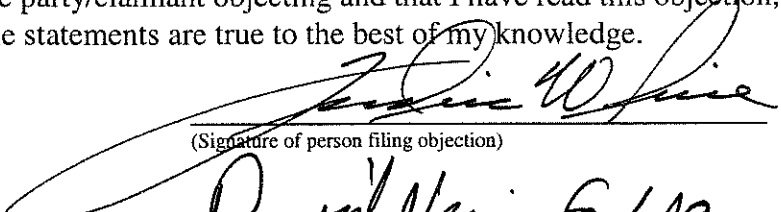
) ss.

County of ADA

)

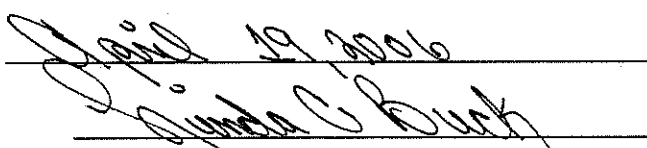
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

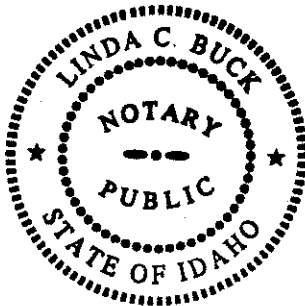
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

Dawn Negri for LAQ
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 19, 2006


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 4-19-, 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:

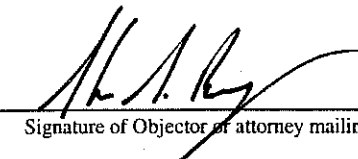
Name: Lavar K. Thornton
Address: 2800 S. Ten Mile Road; Kuna, Idaho 83634
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

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

12/12/2005

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

RIGHT NUMBER: 63-3280

POU on BLM:

NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA ID 83634

Claimant is not authorized to farm Public Land.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.080 CFS
720.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 8.6 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3620.6 AF. COMBINED RIGHT NOS.: 63-3280,
63-3368, 63-7933, AND 63-7993.

USE OF THIS RIGHT WITH RIGHT NO. 63-3368 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.6 CFS.

PRIORITY DATE: 03/22/1962

POINT OF

DIVERSION: T01N R01E S6 SWNE Within ADA County
T01N R01E S7 NWNW Lot 1 Within ADA County
T01N R01W S1 SENE Lot 5 Within ADA County
T01N R01W S1 NWNW Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	3.080 CFS 720.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01E S06 Lot 1 NENE	24.00	T01N R01E S06 Lot 2 NWNE	13.00
T01N R01E S06 SWNE	39.00	T01N R01E S06 SENE	38.00
T01N R01E S06 Lot 3 NENW	1.00	T01N R01E S06 Lot 4 NWNW	26.00
T01N R01E S06 Lot 5 SWNW	35.00	T01N R01E S06 SENW	26.00
T01N R01E S06 NESW	37.00	T01N R01E S06 Lot 7 SWSW	3.00
T01N R01E S06 SESW	37.00	T01N R01E S07 NENW	39.00
T01N R01E S07 Lot 1 NWNW	38.00	T01N R01W S01 Lot 1 NENE	40.00
T01N R01W S01 Lot 2 NWNE	40.00	T01N R01W S01 SWNE	40.00
T01N R01W S01 Lot 5 SENE	40.00	T01N R01W S01 Lot 3 NENW	40.00
T01N R01W S01 Lot 4 NWNW	40.00	T01N R01W S01 SWNW	40.00
T01N R01W S01 SENW	40.00	T01N R01W S01 Lot 6 NESE	40.00
T01N R01W S01 NWSE	40.00	T01N R01W S01 SWSE	39.00
T01N R01W S01 Lot 7 SESE	40.00		

BLM

835 ACRES TOTAL

RIGHT NO. 63-3280 IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 835 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-3280, 63-3368, 63-7933, AND 63-7993.

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 - License

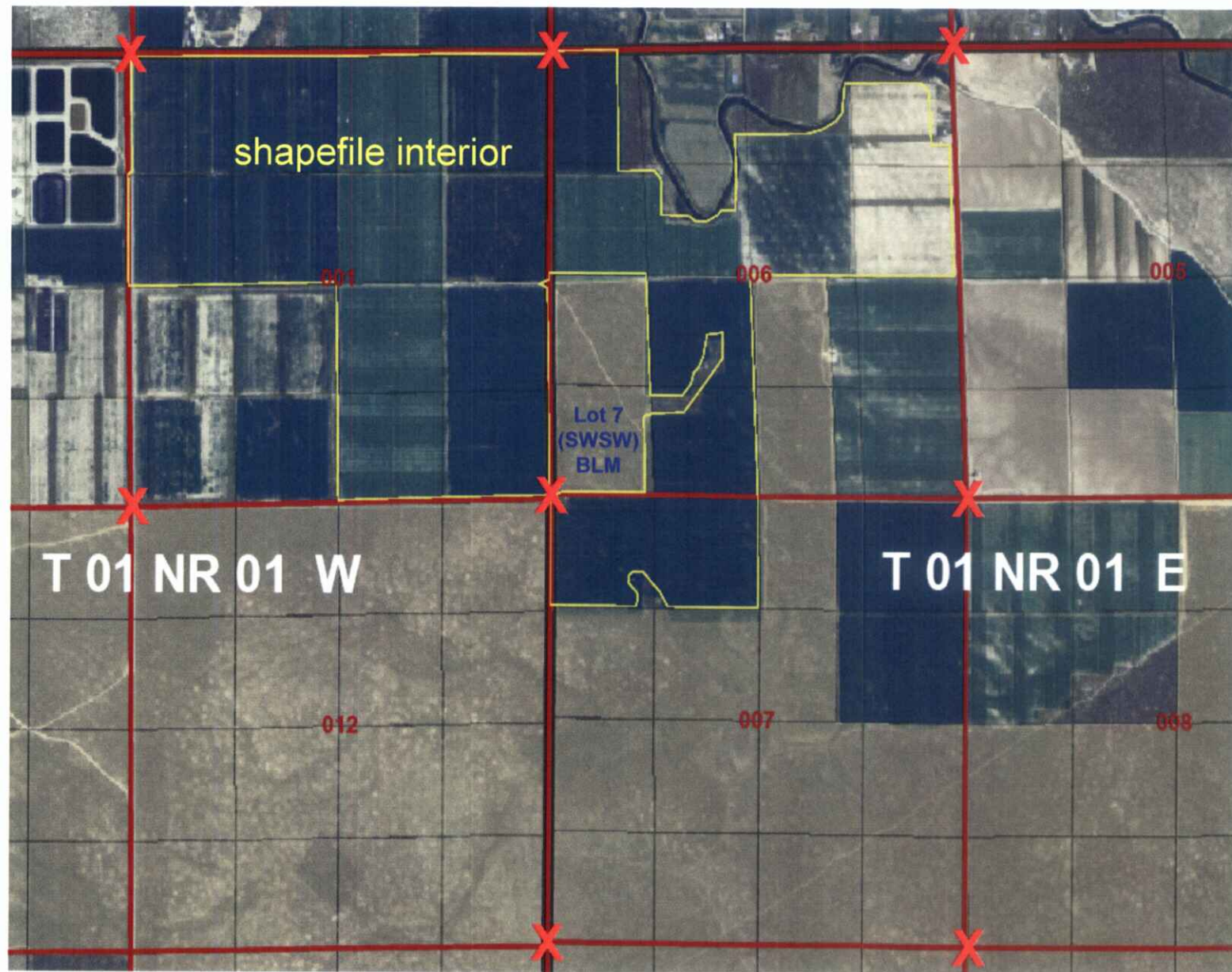
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

63-03280; 63-03368; 63-07933; 63-07993



63-03280; 63-03368; 63-07933; 63-07993

