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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 63-31837
(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: B&B Properties Limited Partnership

Address: 15711 Hwy 55; Boise, Idaho 83714

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.

E.

VERIFICATION (Must be Completed)

State of Idaho

)

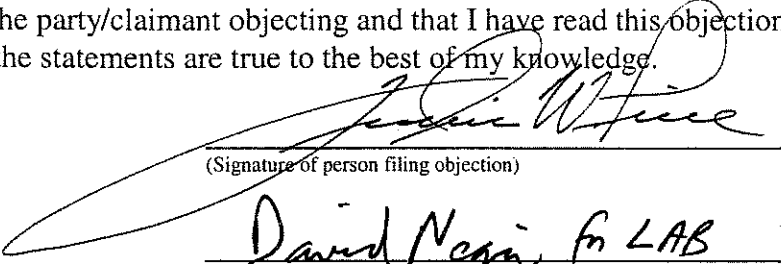
) ss.

County of ADA

)

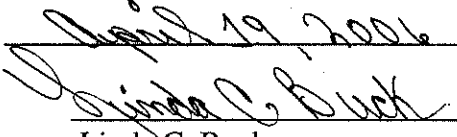
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

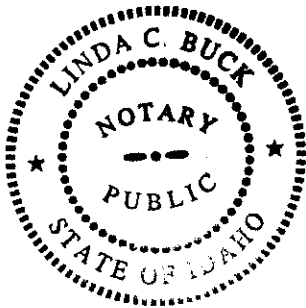
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

David Negin for LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 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 04-19-, 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: B&B Properties Limited Partnership
Address: 15711 Hwy 55; Boise, Idaho 83714

Name:
Address: ;

Name:
Address: ;

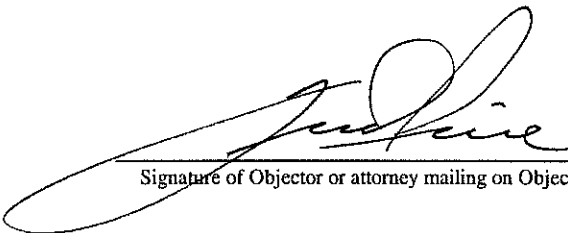
Name:
Address: ;

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: 63-31837
 NAME AND ADDRESS: B & B PROPERTIES LIMITED PARTNERSHIP
 15711 HWY 55
 BOISE ID 83714
 SOURCE: GROUND WATER
 QUANTITY: 2.880 CFS
 648.00 AFY

Mixed Ownership POUs:
 -The POUs identified below
 contains both Private and
 Public Lands.
 -Clarify POUs such that it is
 clear that only Private Land is
 intended.

Right Nos. 63-31837 and 63-31838 are limited to a total combined diversion rate of 3.52 cfs and to a total combined annual diversion volume of 792.0 AF.

PRIORITY DATE: 09/02/1964
 POINT OF
 DIVERSION: T05N R01E S25 NENW Within ADA County
 T05N R01E S25 SWSNW Within ADA County

PURPOSE AND
 PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.880 CFS 648.00 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

T05N R01E S24	SWSW	4.00	T05N R01E S24	SESW	7.00	
T05N R01E S25	NENW	12.00	T05N R01E S25	NWNW	31.00	
T05N R01E S25	SWNW	21.00	T05N R01E S25	SENW	0.50	
T05N R01E S26	NENE	2.00	T05N R01E S25	SWNE	0.50	BLM/PVT
T05N R01E S26	SENE	30.00	T05N R01E S26	NESE	24.00	
BLM/PVT T05N R01E S26	NWSE	9.00	T05N R01E S26	SWSE	3.00	

144 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 - License

Place of use is also known as Shadow Valley Golf Course.

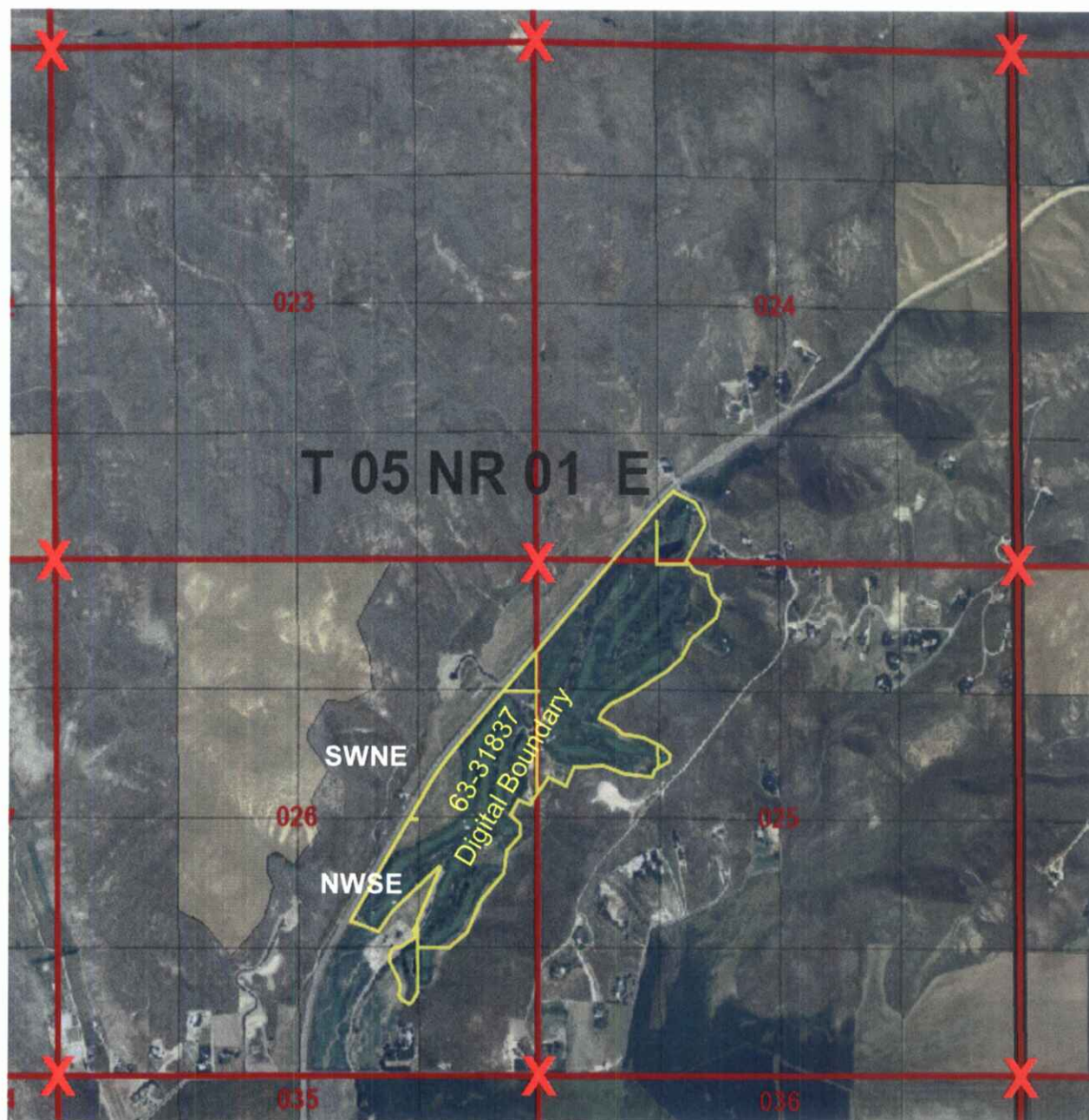
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

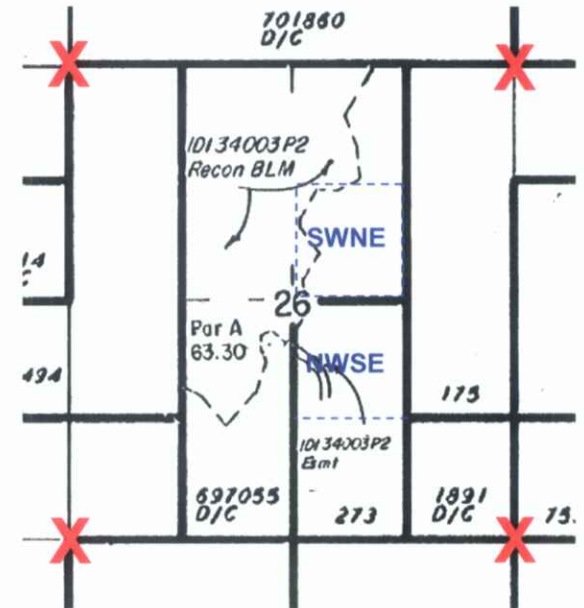
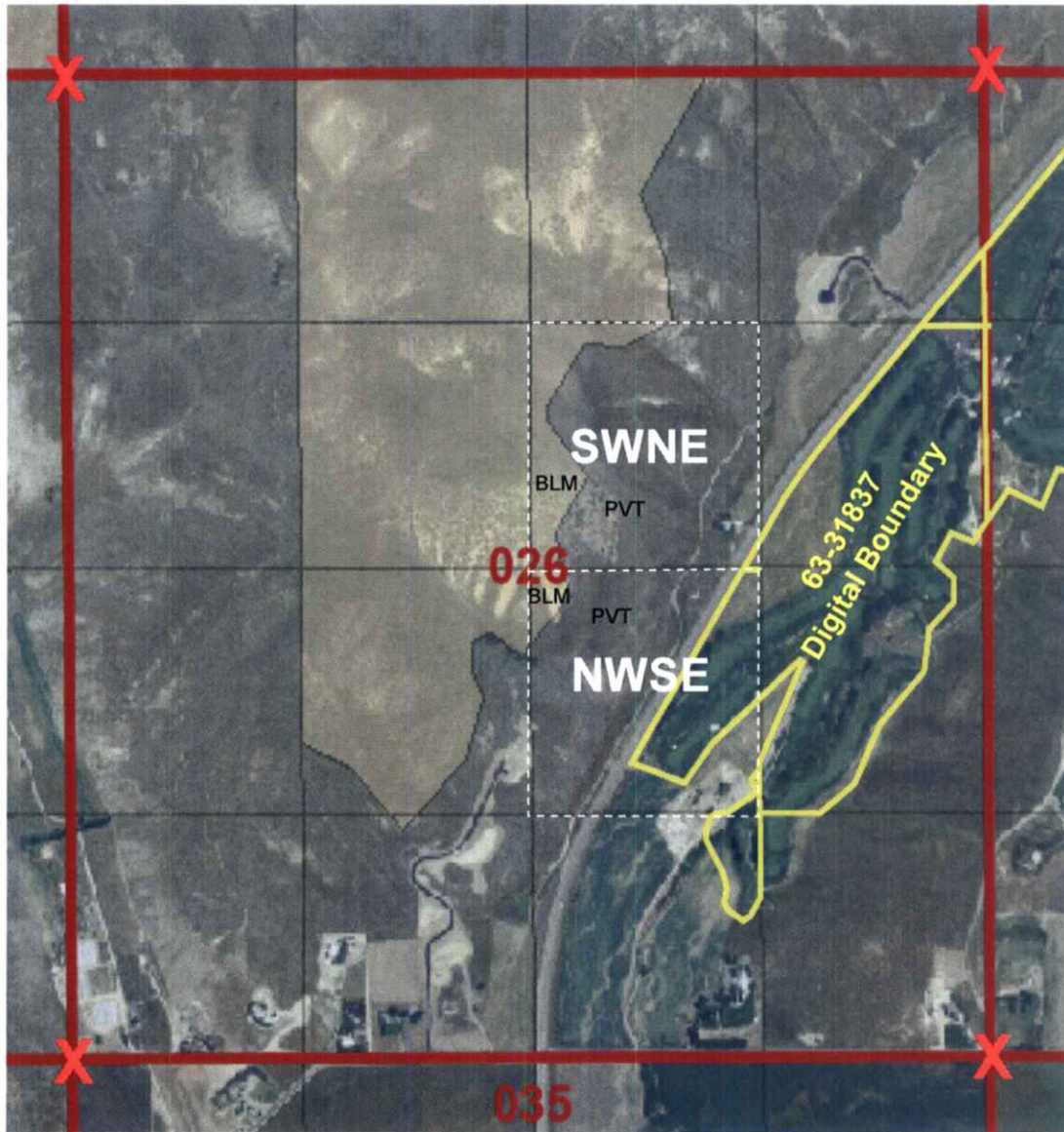
THE POUS REPRESENT MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER PLACE OF USE WOULD RESOLVE BLM'S OBJECTION TO THE MIXED POUS:

"THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LANDS."

63-31837



63-31837

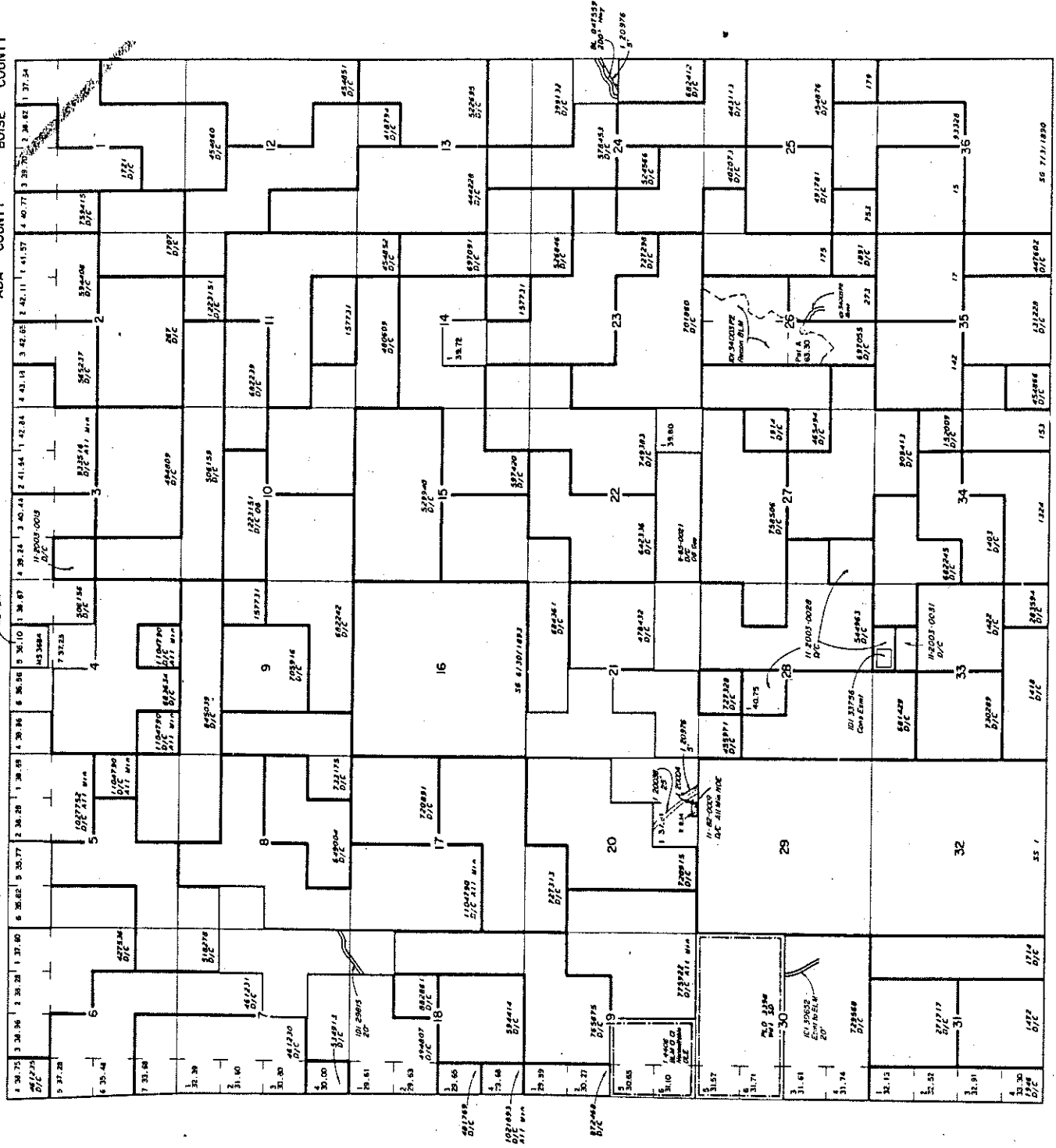


TOWNSHIP 5 NORTH RANGE 1 EAST OF THE BOISE MERIDIAN, IDAHO

BOISE DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

ADA COUNTY BOISE COUNTY
OIL COUNTY



MT PLAT

INDEX TO SEGREGATED TRACTS		
TRACT NO.	T	R
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Survey Boundary Group No. 1098

Plotted by
SUSPENDED: February 5, 2001, File 9530 (957)

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

CURRENT TO	CURRENT TO
FILE NO.	FILE NO.
USE PLATS	USE PLATS

SCALE in Chains

0 100 200 300 400 500 600 700 800 900 1000

WARNING STATEMENT
This plat is the Bureau's record of title and should be used

Boise Mer
T. 59