

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 21-00162
(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: Keith C. & M. Maxine Saurey
Address: P.O. Box 101; Chester, Idaho 83421
Name: Attorney: Ray W. Rigby
Address: P.O. Box 250; Rexburg, Idaho 83440
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 because the legal land description is incomplete (QQ is missing). The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

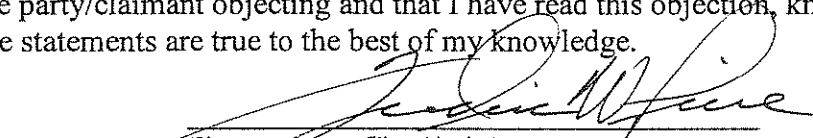
) ss.

County of ADA

)

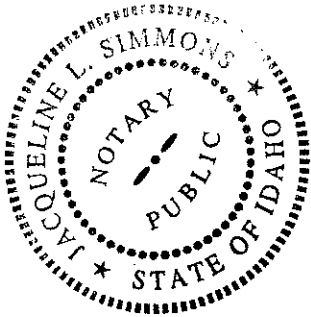
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.


(Signature of person filing objection)

David Negi F LAB
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 23rd of May 2006



Jacqueline L. Simmons
Jacqueline L. Simmons

Notary Public for State of Idaho

Residing at: Boise, ID.

My Commission Expires: 04-07-2011

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 May 23, 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:

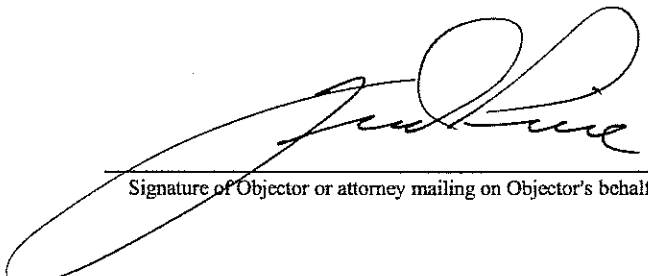
Name: Keith C. & M. Maxine Saurey
Address: P.O. Box 101; Chester, Idaho 83421
Name: Attorney: Ray W. Rigby
Address: P.O. Box 250; Rexburg, Idaho 83440
Name:
Address: ;
Name:
Address: ;

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

01/12/2006

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

RIGHT NUMBER: 21-162

Place of Use incomplete:

NAME AND ADDRESS: M MAXINE SAUREY
4262 MEADOW CREEK RD
ISLAND PARK ID 83421

-40 acre tract descriptions missing

KEITH C SAUREY
PO BOX 101
CHESTER ID 83421

SOURCE: JESSE CREEK

TRIBUTARY: HENRYS FORK

QUANTITY: 1.500 CFS

PRIORITY DATE: 10/05/1912

POINT OF
DIVERSION: T15N R44E S20 SWSWSE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	1.500 CFS

PLACE OF USE: IRRIGATION Within FREMONT County

T14N R44E S06 Lot 2 NWNE	5.80	T14N R44E S06	SWNE	6.35
T14N R44E S06 Lot 2 NESE	40.00	T14N R44E S06	SESE	40.00
T15N R44E S31	0.40	T15N R44E S31		72.00

Mixed

164.5 ACRES TOTAL

This right is limited to the irrigation of 164.5 acres within the place of use described above in a single irrigation season.

Right Nos. 21-161 and 21-162 are limited to the irrigation of a combined total of 164.5 acres 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.

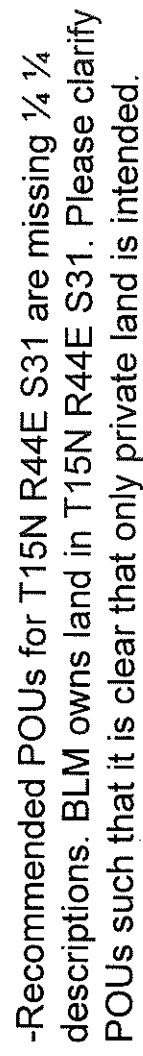
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Mixed: T15N R44E S31 is mixed ownership. BLM owns land in T15N R44E S31. Please clarify legal description such that it is clear that only private land is intended.

It appears from the shapefile that section 31 should define the NESW, SESW, and NWSE as places of use (POUs). These POUs describe private land and would resolve BLM's objection.

Shapefile Interior

Lot 8 (NESE) BLM



FREMONT COUNTY 043
IDaho Falls District Sec 15

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

[illegible]

1 011592 Det PL 167 (Act of Cong 7/23/1955)
completed 4/12/1961. All NF surface Mgmt by USFS

